



PUBLIC OPINION

AND

MUNICIPAL GOVERNMENT

By

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Introduction.

Concerning the importance of the study of city government, Mr. B.P. DeWitt, Author of "The Progressive Movement", writes: "No proof is required today to support the claim that the city is as important in our political life as the nation or state. Indeed, it would not be impossible to support the thesis that the city is the most important of our political divisions.

At present nearly one tenth of the entire population of the country lives in the three cities, New York, Chicago, and Philadelphia. In 1910 the percentage of the total population residing in cities of 2,500 and over was 46.3. But it is not alone the size or the number of cities that makes them worthy of attention. They are especially important because they vitally touch and affect the life of every citizen. Where the average citizen comes in contact with the state or national government at one point he comes in contact with the city at a hundred. Whether water is pure or impure, whether milk is adulterated or unadulterated, whether fires are few or many, whether air is fresh and clear or laden with soot and smoke, whether citizens are happy or unhappy, whether they live or die- the city largely determines. Every second individual passes his

life in the city. It is literally startlingly true that the city is the hope of democracy. It may not be true that all will prosper, if the city prospers. But it is certainly true that if the city fails, all will fail with it."

And again, he says: "Practically every fundamental problem that arises in the city, arises in the larger political divisions; and because of the smaller extent of the former and its more direct contact with its citizens, each problem is apt to be more definite and more easily recognizable. In working out the relation of the government to public utilities, in experimenting with new and simpler structures of government, in reducing the size of the ballots, in fixing the extent and methods of socialization of governments cities are meeting and solving problems which the state and nation must also face. The city is the workshop, the experiment station of democracy."

These facts and the notorious one that American Cities are poorly governed and as yet no thoroughly successful method has been determined for their government, furnish the exciting stimulus for my thesis. In this thesis I expect to give a brief account of the genesis of City Governments, their relation to the federal constitution and their failure on that account to meet the social demands. I wish also to discuss the different reforms now being instituted and perhaps some others needed, and lastly I wish to

place these reforms on a sound social basis, with the means of bringing them about grounded on the working principles of Public Opinion, which in the opinion of Mr. Cooley¹ is Democracy.

1- "Social Organization," page 85.

CHAPTER I

GENESIS OF CITY GOVERNMENT

At the time of the formation of the constitution cities were a negligible quantity in American life. As shown in the first census, that of 1790, they contained only 3.35 percent of the population. Government of all kinds under democracy was at that time an experiment, and naturally Americans experimented with the federal government first. The results obtained at the laboratory at Philadelphia in 1787 were highly satisfactory to those in political preponderance at the time, viz, the individualist economic interests. It is only natural that these same propagandists should maximize the excellence of this form and impose it upon the city governments.

In his book, "The Economic Interpretation of the Constitution"¹ Mr. Chas. A. Beard of the University of Columbia, comes to the conclusion that "The constitution was not created by 'the whole people' as the jurists have said; neither was it created by the states as Southern nullifiers long contended; but it was the work of a consolidated group whose interests knew no state boundaries and were truly national in their scope."² "The movement for the constitution of the United States was originated and carried through principally by four groups of personal interests which had been adversely

affected by the Articles of Confederation; money, public securities, manufactures, and trade and shipping

The property-less masses under the prevailing suffrage qualification were excluded at the outset from participation in the work of framing the Constitution. The members of the Philadelphia Convention which drafted the Constitution were, with few exceptions immediately, directly, and personally interested in and derived economic advantage from the establishment of the new system".

What made it possible for the interests to "put over" such a document in the first place, was, according to Mr. Croly, and Mr. Beard, that they were organized and economically interested while the great majority, who were opposed to the Constitution were not combined, had no adequate means of communication, and could not form a working public sentiment to operate against the system. What kept the Constitution in power once it had been ratified, was the almost impossible means of amendment coupled with the fact that the system was based on individualist economic interests and at that time there was a great supply of that kind of opportunities. What made the Constitution look like a democratic document, and really operate like an aristocracy was the intricate system of the balance of powers, and checking of powers, worked out by the Convention.

Mr. Croly describes this system of checks and balances as "a system of government which was so completely checked

that it lost all balance. It became an indiscriminate mass of sticky matter which merely clogged the movements of every living body entangled in its midst, and which exhibited a happy combination of uneasiness in its parts and immobility as a whole". In the application of this system to the state governments Mr. Croly says¹: "At the outset the legislatures were in theory and practice the most powerful department of government." However we find that with the advent of the constitution distrust of these bodies becomes very prevalent.

"This distrust of the state legislatures resulted in the strengthening of the executive veto and in popular acquiescence to the gradual extension of judicial supervision over legislation. The legislatures were not considered competent to govern themselves, but were fully competent to prescribe most exactly and completely the behavior of the executive authority. The executive was not competent to initiate laws or to appoint his own subordinates without legislative assent, but he was competent to veto a law after it had been passed. Judges who were considered wise and just enough to exercise the power not granted to any European judges of invalidating statutes were usually considered incompetent to determine the procedure which ought to be used in their own court rooms. Yet if the same judge were transferred by an appellate court, his authority became so magnified that he could

on the most trivial grounds upset the findings of a trial court" The same system was used in city governments.

Mr. Croly¹ says: "In dividing the government against itself by such high and rigid barriers, an equally substantial barrier was raised against the exercise of the people of any easy and sufficient control of their government..... It was an organization of obstacles and presumptions-based at bottom on a profound suspicion of human nature."

"In theory the fundamental law should have been more completely the peoples' law than were the state constitutions, because it represented the popular will in its national integrity; but in practice the people have never had very much to say about it. It was framed by a convention, the members of which were never expressly elected for the purpose by popular vote. It was ratified, not directly by the electorate, but by a convention which often represented only a small minority even of the legally qualified voters."² After it was installed, because it was in a measure successful for everybody, and especially successful for its personal-property-owning instigators, it became, and in a measure remains the idol of American worship.

The original states patterned after it, the new states as they came in patterned after it and existing cities together with the new towns, which rapidly sprang into prominence and grew into great cities, copied it in the minutest detail. Mr.

DeWitt says that the mistake that the people made in imitating

1-"Progressive Democracy", page 40.

2-"Progressive Democracy", page 43.

the forms of the federal constitution in municipal government was in supposing that a form that worked in a nation would necessarily work well in a smaller group- the city. This distinction may be all right, but the facts of the matter are, they did not even wait to see whether or not the plan would work well in the nation. Nearly all the states adopted constitutions imposing on cities an executive with a legislative veto, a bi-cameral legislative chamber with executive functions, over all of which was a judiciary capable of annulling every act-, counter-parts of the federal government.

Cities grew and prospered? Yes, and so did the nation not because of, but in spite of, the form of government. The economic conditions were very favorable and prosperity in a moderate degree resulted in general and to an exalted degree in particular, until in recent times the most of these economic opportunities are exhausted. Now, we have to look to efficient and scientific methods to produce prosperity. The instigation of such methods as separate non-partisan elections, Australian ballot, change of general form from mayor-bi-cameral council form to commission form or the business manager plan, city autonomy and efficient methods, are doing much to change the status of cities. It is hoped that they will have the effect to change the national government, for then we would have a plan coming out of the experiences of smaller groups and embodying the needs of all classes, not a plan deduced from abstract theory by one class.

CHAPTER II

MODERN PLANS

Before the cities can progress very far in their attempts for better government they must be freed from the blighting influence of control by the state legislature. This has not been accomplished as yet in every state, however there are twelve states which have granted their cities the right of limited home rule. Many others have stipulations in their constitutions forbidding special legislation for any one of the cities and some others are quite liberal in their grants of powers to the progressive municipalities. However the question of home rule is one that must be settled in each case before much progress can be made. Unfortunately it is a question of great enough magnitude to furnish material for a thesis by itself, and I merely mention it because of its importance prior to any attempt at reform.¹

The Commission Plan.

In any discussion, at the present, of municipal reform, the one question which seems to take and hold the foremost position is the Commission Plan. It is being discussed everywhere and also adopted quite generally. One naturally asks the questions; why is all this turning away from the time honored Federal Plan?, has it proved unsatisfactory?, if so, why so?, what is there about the Commission Plan which commends it to so many cities?, has it a better foundation on the source of political strength of democracy than the old plan had?

1- Further reasons for home rule will be given in the chapter "Public Opinion"

In the first place one does not have to resort to statistics, or to call in government experts to know that our cities are poorly managed. One has only to go to the city water faucet and find instead of a source of human life a culture for all other kinds with an extra amount of mineral matter(as in Wichita) or just plain dirt (as in Wellington or Lawrence) thrown in for good measure. One has only to try to ride on a street-car or talk over a telephone to know that poor business management has been pursued. One can find nearly everywhere examples of pavement graft. On one part of a city one finds foul, filthy alleys, congested business and tenement districts, no lights, pavements or sidewalks, while other sections are well lighted and well kept and well paved. Lawlessness, last of all, everywhere stares one in the face. A glance at the tax lists, according to Tom Johnson writing in his book, "My Story", will find the small house holders paying much larger taxes proportionally to the value of property than their richer neighbors or the great business corporations. These examples and many others of poor government are nearly all prevalent in our cities --- not alone the young cities which have not been in existence long enough to form a self-consciousness, but in the oldest cities in the nation --- and there is small wonder that there is a turning away from a system which gets such results.

Present day writers are unanimous in the verdict

that there is nothing approaching business organization or business tactics in our city governments. In comparing the Commission Form with the old "Checks and Balances type" Mr. DeWitt says¹: "There is a closer analogy between the management of a city and a business corporation than there is between the management of a city and of a nation or state. City administration is largely a business problem and must adopt the methods of business; and just as any large business corporation would fail if the conduct of its affairs were intrusted to a number of individuals or groups of individuals for the express purpose of having some check others, so city business has failed because state legislatures have entrusted the administration of the affairs of the cities to various bodies that could not agree and were meant not to agree on a plan of action."

"The most serious practical defect of this 'Checks and Balances' type of city charter is the divorcement of authority from responsibility. This defect manifests itself in at least two ways. In the first place, under the old type of city government, it is almost impossible to fix responsibility with certainty. If, for example, a great fire breaks out in a city and an attempt is made to fasten the blame upon the mayor, he may with some degree of plausibility say that he could not prevent fires because he was not given sufficient money by the city council to supply sufficient fire apparatus."

1- "The Progressive Movement", page 303.

In the second place, the severance of responsibility from authority places an executive or an administrator in the position of being forced to ask the council to pass ordinances regulating matters concerning which the executive knows everything and the council knows nothing."

"At present our administration is organized chiefly so that the executive shall not be permitted to do much good for fear that he will do much harm"¹. The following article was taken from a recent issue of the Kansas City Star: "The failure of the ward form of government was described yesterday at the luncheon of the Kansas City Traffic Club at the Hotel Baltimore. Fred C. Trigg of the Star.....spoke. 'The trouble with the ward form of government,' Mr. Trigg said, 'is that, while a city wants but little in the way of legislation and a great deal in the way of getting things done, the system was devised with the idea of getting a great deal of legislation and no work.'

"It is quite remarkable," the speaker said "That while the principal business of the city is to build streets and keep them clean, to give people light and water, to protect the public health and preserve the peace, not one of all the men elected to the city government is responsible for doing any of these things.

"The present ward form," Mr. Trigg said, 'Does not involve the idea of doing the thing required--it merely provides
1-"Progressive Democracy", Croly, page .

for legislating about the thing. There is no provision in the system, so far as men are elected are concerned, for fixing a hole in the street.' There can be no such thing as efficient government unless there is fixed responsibility on the part of those elected to get good government."

Speaking of executive responsibility, Mr. Gilbert says¹: "There is no more valuable safeguard against mal-administration, no more effective method of bringing the searchlight of criticism to bear on the action or inaction of the executive government and its subordinates." When a system is in operation as the ward system is, which allows shifting of responsibility, there can be little hope of better administration. At present if a question is raised, such as the fire extinction problem above mentioned, the mayor lays the fault at the door of the council, the council shifts it again to the factions within the many membered body.

The Commission Form of city government removes these weaknesses by concentrating in one board all administrative and legislative powers. In other words the plan is analogous to the English Cabinet system, differing only in the point that the Cabinet is one more degree removed from the people than the Commission. The latter is held responsible through the recall, to the people; and the former is responsible to the Parliament and indirectly to the people. The plans are alike in that they become legislative and executive functions, both being small bodies having informal meetings where business

1-"Ministers and Cabinets"

can be performed expeditiously. Each man is at the head of a department or group of departments and is directly responsible. There is no ducking. When the English naval operations on the Gallipoli Peninsula fail through blunders Winston Churchill gets a chance to resign. When the Wichita police become so corrupt that they can no longer be tolerated Mayor Graham is recalled. Mr. Munro says¹: "It might almost be laid down as an axiom deducible from American municipal experience that the smaller an elective body, the more thorough its accountability to the electorate!"

Another point where the commission type differs from the "Checks and Balances" plan and in which all commission forms agree is the manner of electing commissioners. "Under the old plan" says Mr. DeWitt² "Each section or ward was given separate representation in the city council, while under the commission form the members of the commission are elected from the city at large. Election at large is an almost unqualified improvement over ward representation."

About the "Scrutin de Lists" and "Scrutin d'arrondissement" in his criticism of the corresponding systems Professor Duguit of the University of Bordeaux says that the scrutin de lists (election at large) harmonizes better than the scrutin - - - - -

1-"The Government of American Cities", Page 311.

2-"The Progressive Movement", page 305.

le d'arondissement with the theory of representation, which is that the delegates chosen should represent the city or nation as a whole, not as a single unit. He also says that the "Scrutin d'arondissement" facilitates corruption through the temptation which it affords candidates to make to voters promises of favors, appointments and decorations and that the prevailing system augments materially the more or less questionable influence which the government is able to bring to bear in the election. Moreover in the United States, the system of logrolling, that is-- bargaining among councilors or legislators for each others support adds to the spuriousness of the system, and takes away all semblance of representation of the public mind in the proceedings.

The Commission form of government found its birthplace in Galveston, Texas immediately after the great storm and flood in 1900. The city had been poorly managed and the devastation was all but complete. "The old council form of government, ineffective even under normal conditions, was utterly unable to meet the situation. To save the city from complete ruin and to effect its rehabilitation as speedily as possible, an appeal was made to the governor and the legislature of the state to grant a charter providing for an emergency board of five men to be appointed by the governor, and to have complete control over the city (later the plan of appointment by the governor was changed so as to provide for the election of the five commissioners

by the citizens of Galveston.) The Governor and the state legislature consented and in September, 1901, Galveston began its career as the first commission governed city in the country".¹

The plan was so successful that Houston and Des Moines, Iowa soon took up the plan and improved upon it and put it into operation. Everywhere it proved so far superior to the old system that by 1914 nearly 400 American cities had adopted it.

"Naturally" says Mr. DeWitt,² "There are almost as many variations in the provisions of the commission charter as there are cities that have adopted them. In every case, however, no matter how much charters may differ as to the minor details they have certain fundamental features in common. These features of commission charters are four:(1), Authority and responsibility are centralized. (2), The number of men in whom this authority and this responsibility are vested is small. (3), These few men are elected from the city at large and not by wards or districts. (4), Each man is at the head of a single department.

It may be noticed that these types are just the converse of the ideas in the old federal plan, which has no responsibility, long lists of elective officers, ward elections, and disregard of departmental service. These being the shortcomings of the federal plan, and the commission plan correcting

1-"Progressive Movement" DeWitt, page 301.

2-"Progressive Movement", DeWitt, page 302.

these shortcomings, it is small wonder that the commission plan is being so generally accepted.

The Commission Manager Plan.

In spite of the fact that at the present time nearly 400 cities in forty states are operating under this commission form, and in every case, where the proposition has been given a fair trial, it has proved more satisfactory than the old federal system, there have justly arisen many objections to the plan. It is designated as a "transitional form"¹ That is, it embodies the fundamental principles of good city government but it is not final. It is the framework on which the final form of city progressiveism is to be attached.

The principal objection is that it does not concentrate authority in the single head. The very principle on which the plan is based is concentration of authority. Of course there is nominally a mayor, but he is elected at the same ballot and in precisely the same way as the other commissioners. Consequently they do not take him seriously. As a result we have a five or seven headed government running the business of the city. Quite frequently there is a great deal of friction between these departments which, it is easy to see, does not add to the efficiency in administration. There should, at all hazards, be unity of action among these departments. A five headed council cannot give this unity.

1- A pamphlet published by Kansas Municipalities and written by Professor C.A. Dykstra, University of Kansas.

The second objection is that commissioners elected by the people to personally administer the details of their departments are in practice not the most desirable for the office. Commissioners should be the best public spirited business men, capable of giving general directions to experts in charge of the administering of the separate functions, in accordance with the public opinion of the city which they represent. These men should be of the best type and above all not personally failures in but successes. The salaries offered to commissioners who must give all of their time to the work is not sufficient to attract men of this calibre. Few men are so public spirited as to do this. Men of the other type are always waiting and they usually have the necessary political pull. They are ready to step in to this important office at any time.

There are many objections to the commission form which are more or less pertinent. These two, however, because they are fundamental in the workings of the system, show the main needs for change.

This change has been suggested and is actually being worked out in some thirty-eight of forty American cities in the form of the commission manager plan. This plan follows the commission form, but goes one step further in providing for the appointment by the commission of a city business manager. This officer is a trained expert, skilled in the administration of the details of city business. He holds his

office indefinitely, that is, as long as he is efficient, but he is subject to recall by the council at any time. He is paid a salary large enough to attract men of the best calibre and may be chosen from any part of the United States. No local residence clause restricts. He is responsible directly to the commission and the commission to the people. He is always in the public eye, so responsibility is concentrated. He appoints, dismisses, promotes or demotes all subordinates. Any failure in the city administration is attributed directly to him. Thus the first great objection to the commission form is done away with.

In the second place, the business manager makes such a change in the work of the commission that the second objection is eliminated. In this form the commission has no detailed expert work to do. It is responsible only for policies, and what little legislation that is necessary for a city. The salary is no object in the choosing of these men. They serve only a small part of their time and are permitted to follow their own private occupations the rest of it. However they are compensated for what time they do spend. They are chosen primarily for their public spiritedness and amenability to public opinion. Thus the highest order of men in the city may be chosen to fill this office.

That this plan is a success may be inferred from the fact that it is theoretically correct and that in no instance where

it has been tried has it been given up. Nearly every city using it is not only satisfied with the results obtained but is trying to get other cities to adopt it.

Manager H.M.Waitz, of Dayton, Ohio, the largest city using the plan in the United States gives the following account of Dayton's experience:¹ "Immediately after the Home Rule amendment was passed in Ohio the thinking men of Dayton worked out a plan of action. The new charter was the result of their efforts. The charter comprises the basic form of organization used in all large business corporations.

"Mr. Patterson, President of the National Cash Register Company, the ruling spirit, used the rule of five which he uses in all his organization charts--- five commissioners elected at large and non-partisan, and five departments. The flood of Dayton aided in bringing the people together. Party lines were obliterated. Five sound business men were elected as commissioners. They selected the manager. The manager selected the directors of these five departments.

"In the months of June, July, August, September and October, the death rate of babies under one year has been reduced forty percent over last year.² One general, and two tuberculosis clinics have been established. School children have been joined in a civic workers league and help to keep the city clean.

1-"National Municipal Review", January, 1915

2-The new charter went into operation in Dayton in Jan. 1914.

"Any family, or neighborhood willing to clean up empty lots was aided by the city removing the rubbish and plowing the lots. Four-hundred lots were cleaned and plowed, four-hundred dirty spots were turned into four-hundred gardens which furnish vegetables to four-hundred families.

"The civic music league has been established; concerts have been given in community centers and choruses organized. A series of six concerts to be given by foremost orchestras and symphonies has been arranged for this winter, at a rate of three dollars and a half a season. Twenty-five hundred seats, which is the capacity of the hall, have been sold.

"All the men are trained for the particular functions which they direct. I cannot tell you the political faith of the commissioners or the directors. They were selected for their ability. There were no political debts to be paid. Our energies have been expended on progressive and constructive lines. We have not attempted the sensational.

"Careful investigations have preceded all new plans. Expert engineers are advising us in the plans for development of a comprehensive sewer system. Expert engineers have investigated and made reports on the proper distribution of the city wastes. In a similar way, we have investigated crime and social conditions, police and fire departments, parks and playgrounds city planning, and grade elimination.

"In our finance department our new accounting system is the same as would be found in any large business. Our

budget is scientific. Every month the head of each department receives a complete financial statement which shows the original allowance, expenditures and balance in each account. We keep our expenditures inside our allowance.

"In August, we found that our estimated revenues were too high. With our system of accounting and budget, we were enabled in two days, to reduce the expenditures \$45,000. and reorganize all work accordingly. It was customary to issue bonds for current expenses. This practice has been stopped. We inherited a promissory note the first of the year for a hundred and twenty-five thousand dollars in the safety department which was paid in February.

"All current funds in the treasury have been put into one . . . It has not been necessary to borrow any additional money on this note as we will save \$5000.00 in interest. Our purchasing department will save \$20,000 this year.

"Every department has the unit cost system. Efficiency is maintained by the deadly parallel.

"Police and fire drills have been enforced. Civil Service records show merits and demerits. The men are listed on the results of examination as well as by daily performances.

"Policewomen are aiding in the handling of women delinquents and domestic troubles.

"The organization is keyed up to preventative methods.

"The fire department is continually making house to house inspections, reducing fire hazards.

"Workhouse prisoners are used on municipal improvements, parks, cleaning and repairing streets.

"A municipal lodging house has been established. The inmates are worked one half day.

"All philanthropic and city nursing has been combined into the welfare department, thus saving all duplications of effort.

"District surgeons have been appointed. Three baby clinics and milk stations have been established.

"All these are factors in Dayton progress during the past year--- a progress that is real, substantial and continually growing.

Other cities make reports such as: Springfield--- floating debt, \$120,000 liquidated in two years; tax rates lowered from \$1.50 to \$1.31 per \$100 of evaluation; Jackson, Michigan--- outstanding indebtedness reduced \$50,000 in 1914. giving about \$10,000 in additional services. Bonds have not been issued for current expenses; Mantistee, Michigan--- bonded indebtedness decreased by \$14,000, operating expenses of police, fire and water departments for 1914 show a decrease of \$6,000, over previous year; tax rate reduced \$7.43 per \$1,000 of evaluation; Amarillo, Texas,--- \$20,000 delinquent taxes collected, no money borrowed; La Grange, Oregon,--- floating indebtedness of \$110,000 from previous administration reduced by half, tax rate remains the same¹.

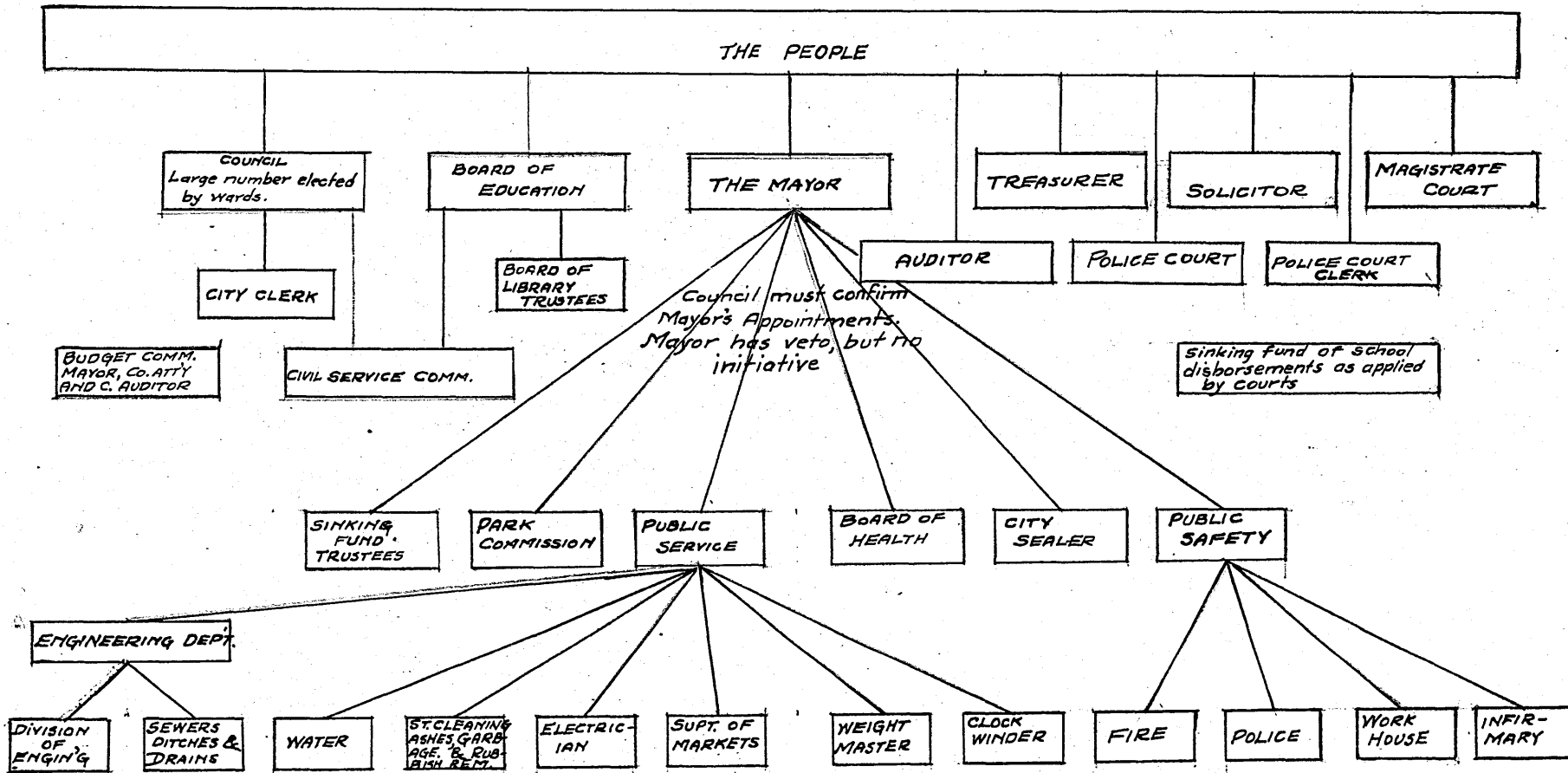
¹-Report to League of Kansas Municipalities, by town planning committee. March, 1916.

In the same report information to the effect that in the nine most important commission manager cities the general attitude of the citizens was favorable. In five of the cities the cooperation of the chambers of commerce and the citizens' organizations was very good. Two report a lack of cooperation. In one the commercial club is not active and the other organizations are, and in one no report is made. Laboring classes and socialists are hostile, usually, at first, but favorable after they have time to understand the plan.

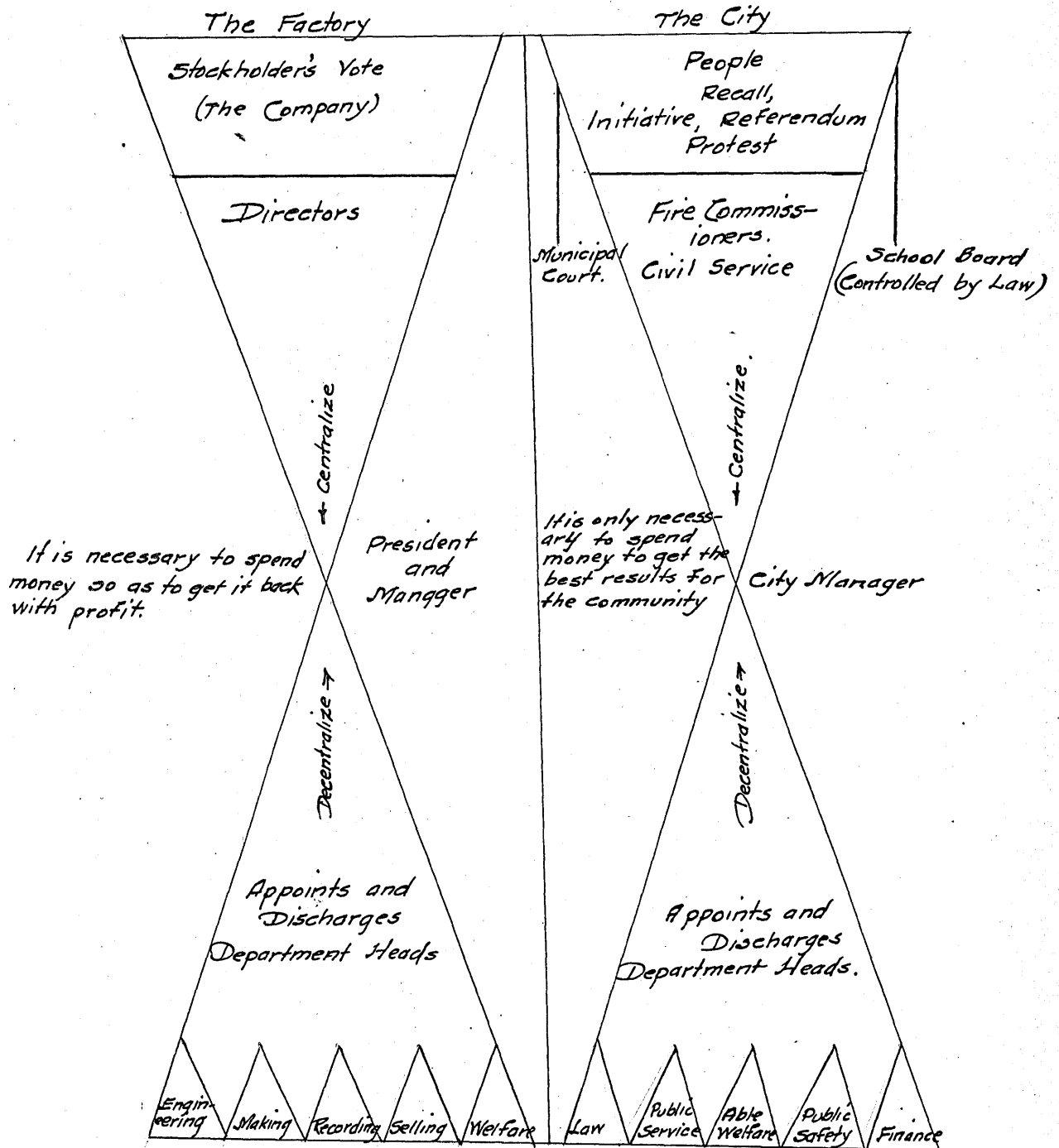
In replying to a question regarding the danger of the bosses controlling the commission manager type of city, Mr. Waite of Dayton says: "If a political boss got hold of a commission manager form of government, he could have a beautiful time, but he could not last long. He could not last long because there is no place to shift the responsibility, which is the old game. If he acted as a manager, the people would demand that he get out. They say that the city manager is a boss. He is in a way, of course, but he is a boss that is paid. He is before the public, not behind it. He is always before the public."

These facts establish the excellence of the plan, at least as to the practicability of it. I have made four graphs of city plans. One shows the federal plan with its scattered powers and the checked activity. It is not complete because it does not show the conflict between the mayor and the council which is one of the main objections to the system. Another shows the Dayton plan of commission

THE FEDERAL PLAN OF CITY GOVERNMENT

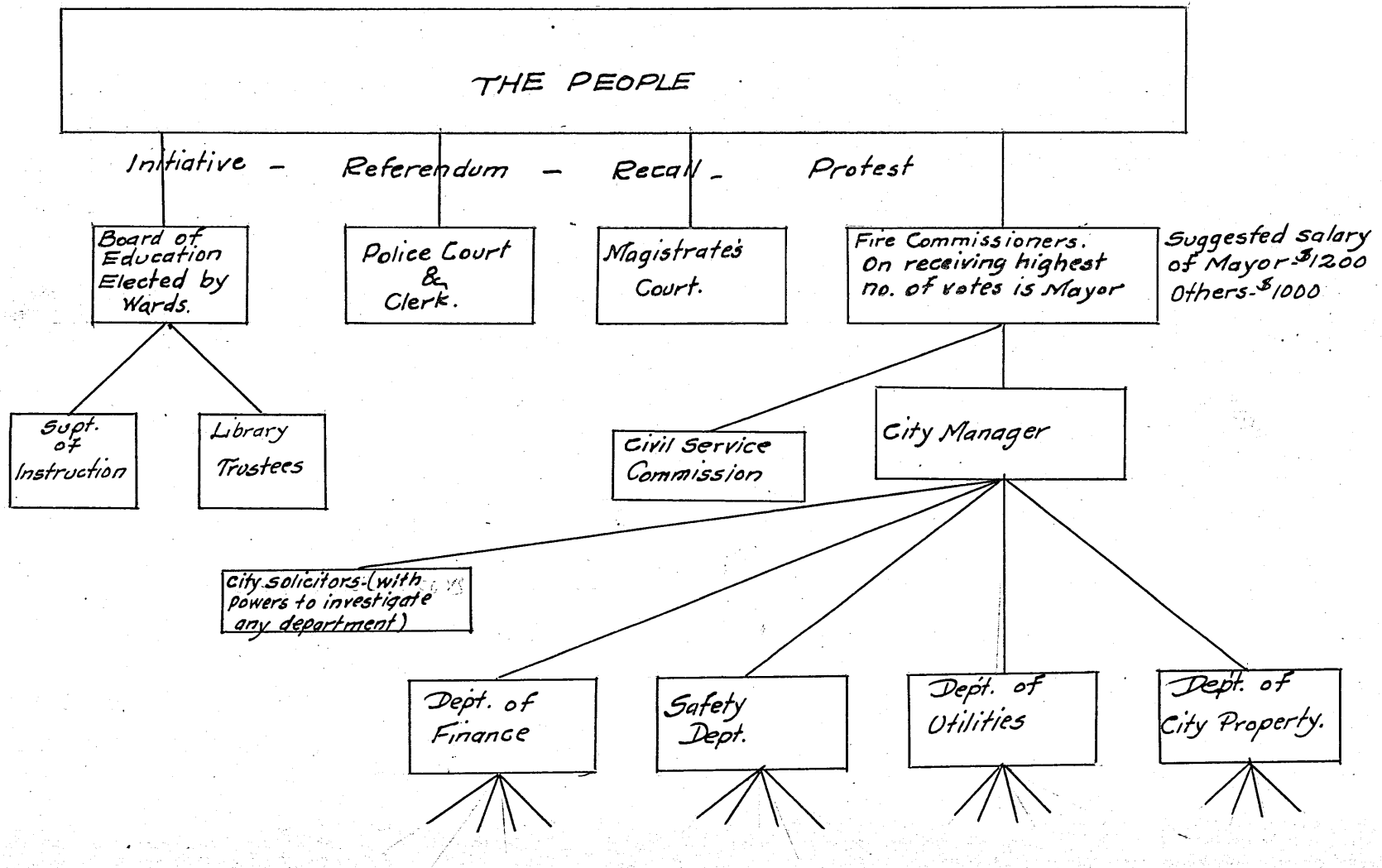


This is a graph of the Federal Plan of City Government, showing the long ballot and absolute lack of responsibility.

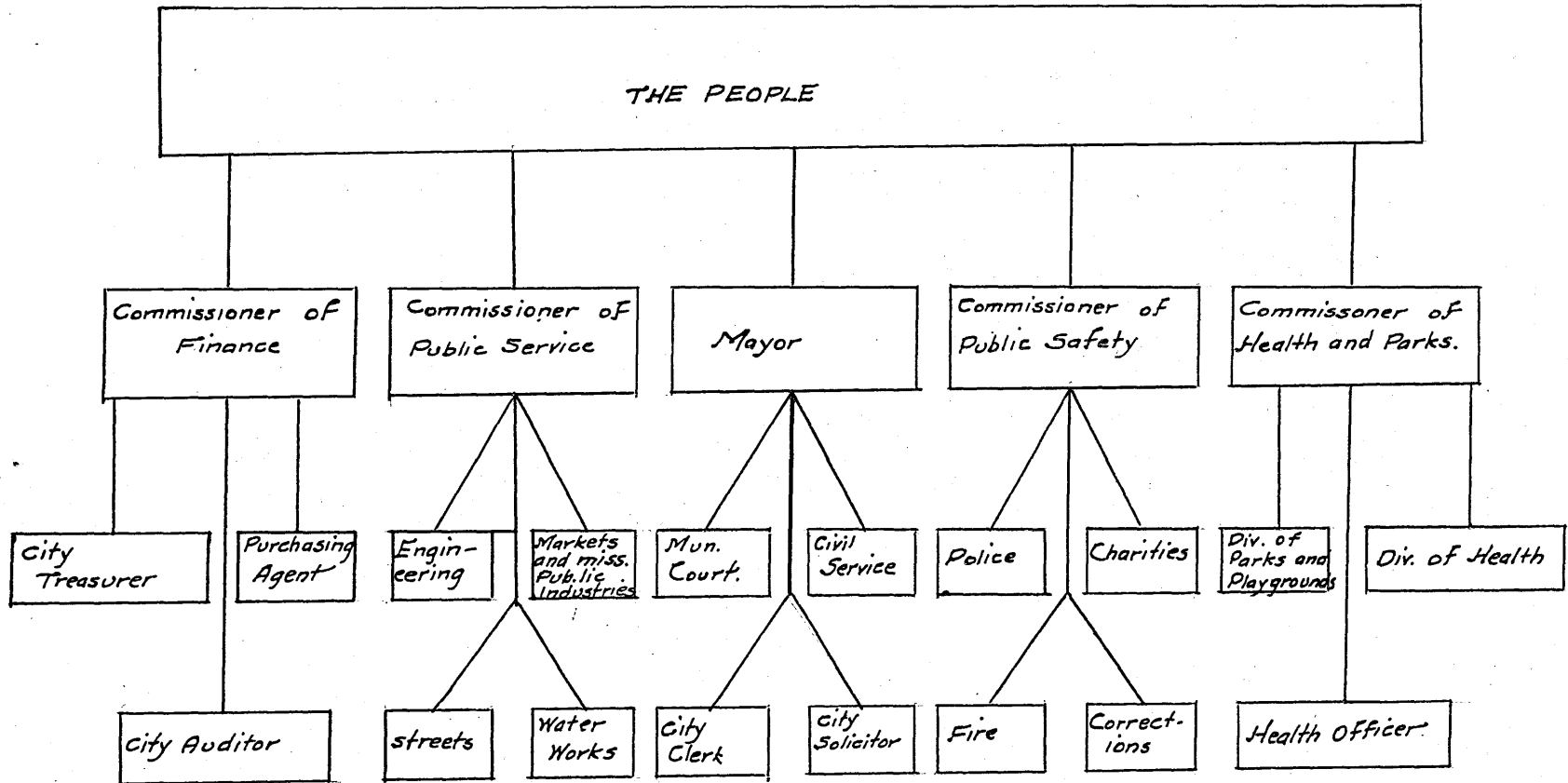


Graphs prepared by Mr. John H. Patterson, president of the National Cash Register Co., showing the analogy between a big business organization plan and a city manager plan.

A COMMISSION MANAGER PLAN OF DAYTON



THE COMMISSION PLAN



This is a graph of the Commission Plan, showing the de-centralization of five-headedness of government.

manager city. The other shows the analogy of the manager plan to the plan of a business organization.

It may be noticed in each of these plans that there is minute organization for the carrying out of the popular will, after it has been expressed. Each one of these plans draws its source of power from the PEOPLE, but there is no organization by which the people may form public opinion and express it. This is the great work of democracy, and good as the city manager plan is, it is organized only half way. The formation and means of expression of public opinion must be provided for.

The incorporation of public opinion into the plan of city manager government does away with another objection. It is assumed in the commission manager plan that the object of city governments and of business corporations are the same. On a little analysis this assumption is easily disproved. The object of a business organization is to make money. The object of city government should be to provide for the needs of the citizens, social, economic, moral and physical needs. Its object is altruistic not egoistic. It is an organization for mutual giving and taking, of serving and being served. In this, city government resembles the family in its organization more than it does a business. The addition of public opinion to the commission manager system supplies the soul, the interest which makes the city a big FAMILY.

CITY	POPULATION	DATE IN OPERATION	MANAGER	SALARY
Sumter, S.C.	8,109	Jan., 1913.	Vacant	\$ 3,600.
Hicory, N.C.	3,706	May, 1913.		
Morgantown, N.C.	2,712	May, 1913.		
Dayton, Ohio.	116,577	Jan., 1914.	H.M.Waite	\$12,500.
Springfield, Ohio.	46,921	Jan., 1914.	C.E.Ashburner	6,000.
Phoenix, Ariz.	11,134	Jan., 1914.	R.A.Craig	\$ 5,000.
LaGrande, Oregon.	4,843	Jan., 1914.	F.J.Lafky	\$ 2,400.
Amarillo, Texas.	9,957	Jan., 1914.	M.H.Hardin	\$ 2,400.
Cadillac, Mich.	8,375	Jan., 1914.		
Manistee, Mich.	12,381	Apr., 1914.	C.E.Ruger	\$ 2,000.
Montrose, Colo.	3,252	Jan., 1914.	P.W.Pinkerton	\$ 1,800.
Taylor, Texas.	5,314	Apr., 1914.	Peter Schramm	
Denton, Texas.	4,732	May, 1914.	W.L.Foreman	
Collinsville, Okla.	1,324	Sept., 1914.	Claude Thorpe	
Lakeland, Fla.	3,719	May, 1914.		
Big Rapids, Mich.	4,519	1914.	Vacant.	
Jackson, Mich.	31,433	Jan., 1915.	Gayford C.Cummin	
Sherman, Texas	12,412	Apr., 1915.	Karl M. Mitchell	
Bakersville, Cal.	12,727	Apr., 1915.	Wallace Morgan	\$ 3,000.
Beaufort, S.C.	2,486	Apr., 1915.		
Tyler, Texas.	10,400	Apr., 1915.		
Newburg, N.Y.	27,805	Jan., 1916.	Fred C. Alberts	\$ 5,000.
Sandusky, Ohio.	19,989	Jan., 1916.	K.B.Ward	\$ 3,600.
Ashtabula, Ohio.	18,266	Jan., 1916.	J.W.Prine	\$ 2,500.
Niagra Falls, N.Y.	30,445	Jan., 1916.	O.A.Carr	\$ 5,000.
Wheeling, W.Va.	41,641	Jan., 1917.		
Alpena, Mich.	12,706	Apr., 1916.		
Santa Barbara, Cal.	11,659	Jan., 1916.		
San Angelo, Texas	10,321	Apr., 1916.		
St. Augustine, Fla.	5,494	Apr., 1915.		
Westerville, Ohio	1,903	Jan., 1916.	Ray S. Blenn	\$ 1,500.
Elizabeth, N.C.	8,412	1915.		
Webster City, Va.	5,208	Jan., 1916.	H.G.Vollmer	
San Jose, Cal.	28,946	July, 1916.		
Watertown, N.Y.	26,730	Jan., 1917.		
Portsmouth, Va.	33,190			
Albion, Mich	5,833	Jan., 1916.	Roland Remley	
Brownsville, Texas.	10,517	Jan., 1916	F.H.Williams	\$ 3,000.
Petosky, Mich.	4,778			

Twenty-one other cities have added the city manager to modified forms of the commission or federal plans.

CHAPTER III

Public Opinion Formation.

"Nothing is so deadly as inertia. The greatest obstacle to overcome in any fight in which fundamental moral issues are involved is not opposition, but indifference."¹

"Publicity must be given to the results obtained by the new government. We must obtain an efficient citizenship. Interest should be maintained through the schools. We need fewer elections, longer terms and thereby greater efficiency. The commission manager form of governments can be made a success. Its permanency depends upon an intellegent citizenship and their continued determination to keep politics out of municipal matters."²

Mr. Waite further expresses the opinion that the success of any form of government is "Up to the people". The danger is and always has been that the people set up a new plan and then stand off and say; "What a beautiful thing it is". Then down it comes. The people do not stay under it. Practically every form of government that has ever been devised in America has been successful for a time. Mr. Bryce says that the American people have an especial genius for making plans work yet practically every plan that has ever been tried for any length of time has been vitiated because the public is too much inclined to attend to its own private affairs and let the government alone.

1-"My Story" by Tom Johnson. page 115.

2-"National Municipal Review", Jan., 1915. Manager Waite.

Thus it can be seen that government must rest on the people. That is, it must be based on public opinion. America needs organization to keep up interest and to form public opinion more than it does machinery to express it.

But what is public opinion?

Although, theoretically and really, to a great extent the government has always rested on public opinion¹ few people understand its workings, and still fewer governments have been constructed so as to fully use its dynamic power. Indeed, very few scientists have an adequate knowledge of its nature or power. It is to the social and political world what electricity is to the mechanical--- a great unexplored field. To get any idea of its workings one must analyze society itself, from which this public opinion emanates. There have been many theories as to the nature of society. These have one by one broken down until the late "Individualist Psychology Theory" came on.

"The analysis of the situation" says Herbert Croly,² "Was completely dominated by the illusion of the physical individuality, and by the consequent necessity of merely inferring the existance of other individuals from the testimony of certain physical symptoms. Of course these individualist psychologists recognise the existance of social instincts and emotions, but their general psychological presuppositions did not permit them to attach much importance to such instincts. They never recognised the existance of sociality as a primary psychological fact. They never understood

1-"American Commonwealth", Bryce pages 255 and 256. 1908 Ed.
2-"Prog. Dem." p.195.

consciousness is as much social as it was individual."

Further on Mr. Croly says¹: "Society is as real to certain of the idealists as were individuals, because the reality of society was a necessary consequence of individual moral needs. But it has been reserved for recent social psychologists to give a concrete account of the way social minds are formed and consequently to bring the idea of social mind into relation with the fundamental idea of society as a process."² A society is not made up primarily of individuals. It is made up of an innumerable number of small societies. Men and women become associated together for the accomplishment of an infinitely large and various number of purposes, and each of these different associations constitutes a society whose reality is determined by the tenacity and the scope of the purposes which have prompted the association. Every church, every club, every political and military organization, every labor union, every family, even every temporary social gathering

1-"Progressive Democracy", page 196.

2-"Origin of Leadership" Mumford, Amer. Jour. of Soc.V.12.p.219.

"By the social process we mean the infra- and inter-groupal reciprocal activities of living organisms"

"Sociology in its Psychological Aspects", Elwood, 1912 Edition pl43.

"Society is a mass of interactions, of interstimulations, and responses, between individuals, not haphazard but regular, Coordinated and controlled, working for the most part towards definite ends and making social groups true functional unities, ruled by habit largely, but like all organic unities, undergoing adaptive changes which are themselves regular and which, moreover, give rise to the more important socio-psychical phenomena. In other words, society or associations is a psychical process, that is a process immediately made up of and ruled by psychic elements. such as impulse, instinct, habit, emotion, desire, sensation, imagination and reason."

constitutes a society of its kind. As the work of socialization progresses, these centers of association tend to become more numerous, more various and more significant, but socialization none the less does not consist merely in multiplying and enlarging the machinery of association. These societies necessarily seek some form of mutual accommodation and adjustment. They acquire joint responsibilities and seek the realization of common purposes. Out of these joint responsibilities and common purposes a social ideal gradually emerges. Society come to be conceived as a whole, with certain permanent interests and needs, into which the different centers of association must be fitted.

"Correlative with this emergence of society as a whole, a different conception of individuality also comes to the surface. From the point of view of social psychology the individual merely in the sense of a man who inhabits a certain body and possesses a certain continuity of organic sensations is largely an illusion."

In this exposition by Mr. Croly we get the gist of the best and soundest social philosophy of the time, as far as I have been able to find it. Many of the great mistakes of democracy can be traced to this failure to grasp the significance of group life, and in the emphasis of the individual as the units of society. The group is certainly the unit of society.

The most fundamental basis for the division of society

into groups is the family basis. All through history the matter of blood relationship has been of great importance in the determining of group divisions. The family is the ideal groupal unit of society. In it discussions are freer, cooperation completer and leadership more definite than in any other division. On it must rest the task of initiating and perpetuating public opinion. In order to form larger groups the family groups unite, and we are naturally interested to know what is the psychological basis for this unity.

In Mumford's "Origin of Leadership"¹ we find; "When we begin to analyze the social process we find two main divisions with which the sociologist is concerned. In the first place, there are the fundamental social forces--- impulses, instincts and interests---which are organized or expressed through this process."

"There are certain functions, impulses, instincts and interests, such as the nutritive, reproductive, and protective, which are essential to the life process and common to all organic life and which in so far as they are realized through associative activity, constitute the rudimentary motor forces of the social process."

Thus we find that the instincts and interests which lead to the family groups are the same as lead to the larger group associations. Of course under modern city conditions the instincts do not so obviously play the part in this interfamilial groupal status that the emotions and interests do. Both

1-"Amer. Jour. of Soc." Vol.12, pp 219-220.

emotions and interests are based largely on activities-- principally the most absorbing activities or occupations. So we find the occupations the basis of the fundamental group-al relations. Naturally the trade or business or profession has the first centripital force. We have plumbers, bankers or bar associations. Next the trades which have common interests form trade unions, the businesses form merchants' associations, commercial clubs, or chambers of commerce, and the professions also unite. There may be any number of these larger groups---depending upon interests. Finally all groups unite in one or should do so, in the great common interest of all-- the government. This last step is the most difficult of all, for the natural tendency seems to be for one group to override others. The failure of the groups to thoroughly understand the significance of the common interest may be the cause of this difficulty, The tendency to emphasize differences, to contrast, and not to ascertain and enlarge upon the likenesses, to compare, has been a great fault of American education and thought. All classes and groups have the great bulk of interests in common, It is only the few minor ones, which have been enlarged upon until they look like fundamentals which constitute the marks of difference between the groups. Mr. Baldwin in his "Social and Ethical Interpretation" says that ones interests, the things in life he wants, are the things which by the very same thought he allows others also ^{the right} to want; and if he insists upon the gratification of his wants

at the expense of the legitimate wants of others, then he in so far does violence to his sympathies and his sense of justice, and this in turn must impair his satisfaction.

To facilitate the final cooperation and conjunction of these larger groups, and to eliminate the tendency for one group to impose upon the others, the great common interest must be evolved. This will be the opinion.

Now that we have some idea of the constructions of society, we can further inquire into the meaning of public opinion.

For an opinion to be public it must be shared by each of these groups, or at least, subtracted from or added to by each. Each group must have had a part in its formation. If one group forms an opinion and by force, trickery, or otherwise imposes it upon the other groups, against their will, or without their will, it will not be public opinion. If on the otherhand one group refuses to operate in the formation of the opinion, that is, if it refuses to lend its share in the moulding by adding the advantage of its particular view point, and then agreeing to abide by the decision of all, and this group is in this respect is large enough to be considered, the opinion obtained without them cannot be public opinion.

Take for instance the situation in Dayton, Ohio. The city is experiencing a crisis, a change of form of government is just being tried out. The functioning of public opinion is almost imperative to make the new form a success. Every considerable group must feel that it has its part to play in

initiating its particular opinions in the government. However, no group should insist upon the immediate incorporation of its opinions, whether or no other group opinions are included in the plan. Dayton has a socialist element which has some very pronounced and, indeed, very good ideas on public ownership of public utilities. These ideas are excellent and there is no doubt but they should, and will in due time be incorporated in the governmental program. However, Dayton is unfortunate in having in this group the spirit which prompts it to insist upon the immediate carrying out of its program on threat of entire hostility toward the government. Manager Waite and the other groups of the city admitt the need of this step but they feel that the time has not yet come when this new improvement can be attempted. It naturally takes a great deal of time, insite and executive genius¹ to accomplish such a reform. Nevertheless the Socialists instead of biding their time are openly hostile to everything the administration attempts. If this group should become large enough as to form a very considerable portion of the population, and their spirit of being irreconsilables continue, the formation of public opinion would be made impossible and the foundation of democracy in the city would be removed. The object here is not to enter into the particulars

¹-Speaking from the nine years' fight of Tom Johnson in Cleveland and the present situation in Lawrence.

of the Dayton fight, but to show how a group may become irreconcilable and also inimical to public opinion and democracy.

In any government based upon public opinion, every group must aid in the formation of the opinion and agree to abide by the will of the majority from a sense of duty to the common interest, not by fear. President Lowell¹ says: "The opinion must be such that while the majority may not share it, they feel bound, by a sense of conviction, not by fear, to accept it."

The next question confronting us is-- what is opinion? In the first place, it is not possible to form a political public opinion on every subject. Ernest M. Rowe, Executive Secretary of the Jersey City Chamber of Commerce, in a paper recently addressed to that body said: "The subject matter of (Political) public opinion is generic and fundamental, never partial nor specific. It will be exercised upon specific ^{opinion} matters. Public/concerns itself with matters which are public only, affecting the whole of a given public. For example there is public opinion in Cleveland on the three-cent fare but not in New York City. There is opinion on the jitney bus, but not in Rio De Janiero. There is opinion in the automobile and rubber trades touching the present patent litigation between the Goodyear and Firestone Companies. The average person has not even heard of the case. But over against all of these practically every person in the country has formed an opinion on the Leo M. Frank case because it affects the

1-"Public Opinion and Popular Government" page 15.

inalienable right of life, liberty and pursuit of happiness which affects all."

"In this short paragraph Mr. Rowe has summarized many of the fundimantals of public opinion. In regard to this statement about the subject matter being generic and fundamental and concerned only with matters which affect the whole of a given public, it may be seen that it agrees with our previous analysis. Since all groups must take part in the formation of the opinion, it is obvious that unless the subject were such as to affect all of the groups- to arrouse their interests--- there could be no opinion of the whole. It is obvious that there can be no opinion in New York, or the whole United States on the three-cent fare in Cleveland. The matter affects Cleveland only and should be handled by Cleveland alone. It is just as obvious that the matter does not affect Dayton or Cincinatti or any of the rural districts of Ohio which sends representatives to the Ohio state legislature. Then the legislature could have no opinion on the three-cent fare. Luckily Ohio has a home rule bill which allows Cleveland to take care of such matters herself. Not so with many other states which reserve the right to say whether a city shall put into practice ^{its will} on such matters as municipal ownership or any other matter of ^{local} public policy. In a government based upon public opinion no formation of opinion on subjects which are not of fundimental interests should be attempted. Every group should be allowed to take care of the subjects which affect itself only. Cleveland should be

allowed to take care of its own street-railway fare. Every complete public should be allowed to exercise its opinion on matters of fundamental interest thus the United States is capable of saying whether or not it approves of universal military training.

In Mr. Rowe's example of the Cleveland three-cent fare fight another element enters in which is vital to public opinion. When Mr. Tom Johnson began his fight for the three-cent fare there was no opinion on the subject in the city. The people were all willing for the fare to be reduced but they knew nothing about municipal ownership, or nay other means of lowering the rate. They had to be educated on the subject. The groups for, and against, Mr. Johnson's plan had to be formed and they had to fight out the proposition in a long strenuous fight. The conflicts interested every citizen--- it touched his activities and very life- but it took nine years for the small groups to form their opinion, to influence other groups by their view point, to be influenced by the view point of the other small groups; to influence the larger groups and in turn be influence by them; to act and respond to the actions of other groups until the opinion was thoroughly formed. The opinion of the individual, the groups and the public are formed simultaneously. Sentiment may fluctuate rapidly, varying, like the storm raised waves on the ocean, high above the mean level of the body for a time and then sinking far below it. But public opinion, like the gradual rise or fall in the tide changes very slowly. An example of sentiment

fluctulation may be found in the recent Bissell murder riot in Topeka. Sentiment rose very high and suddenly and lynching was suggested. It was agreed to quite generally but after time had been given to form an opinion on the matter it was found that the general opinion on the subject of lynching had been changed but very little if at all. Time is a great element in public opinion formation.

The Leo M. Frank case cited by Mr. Rowe illustrates another interesting phase of public opinion formation, one which is requisite. The case was first taken up and handled by the local authorities, but because it did "affect the inalienable right of life, liberty, and pursuit of happiness," the interest was general. Practically every newspaper in the nation discussed it. Every group, no matter how small watched the case and passed judgement upon it.

Mr. Cooley¹ says: "In politics communication makes possible public opinion, which when organized is democracy. The whole growth of this, and the popular education and enlightenment which go with it is immediately dependant upon the telegraph, the newspaper, the fast mail, for there can be no popular mind upon questions of the day, except as people are promptly informed of such questions and are enabled to change views regarding them!" "

"Democracy has arisen here, as it has arisen everywhere in the civilized world, not chiefly because of the changes in the 1-"Social Organization", page 85.

formal constitution, but as the outcome of conditions which makes it natural for the people to have and to express a consciousness regarding questions of the day..... when the people have information and discussion they will have a will, and this must sooner or later get hold of the institutions of society!"²

From this we may conclude that a constant, regular and free interplay of ideas from individual to group, from group to individual and among groups, communication, is absolutely necessary to public opinion formation.

Then a public opinion is a conclusion arrived at by a society after the subject has been thoroughly and open mindedly discussed, with an absence of prejudice and a willingness of all concerned to be loyal to the opinion when formed by the groups, then communication between the groups established and a thorough interchange of the conclusions of each arranged and welded into the final shape of the complete opinion. The extent of the interest in any subject on which the opinion is being formed determines the size of the society.

CHAPTER IV

Public Opinion Expression.

"Self governments can only be realized", says Mr. J.H. Humphries,¹ "When every section of the community through its own representatives can give expression to its needs in the assembly which is representative of the nation and which derives all its authority from the fact that it is so representative. This assembly acts in the name of the nation; its decisions are said to embody the national will. But if any considerable section of the nation is deprived, from whatever cause of representation, in what sense can it be said that its decisions give expression of the national will?" John Stewart Mill's Fundamental Principle of Democracy---that the various sections of political opinion should be represented in the legislative chamber in proportion to their strength--is the watchword of just elections.

Good government in a democracy and in fact, any country depends upon the expression of public opinion. No matter how well opinion is formed if it has no way to express itself in the actual running of the government, it is of no practical use. Under our present system of elections by majority rule public opinion has small opportunity to express itself in any so called representative body. This is the object of proportional

1-"Proportional Representation" page 109.

representation. By it the minority is represented as well as the majority. Every faction is given its proportional share in the government.

Before we take up the discussion of the proportional system, it may be well to inquire into our present system of "majority" rule and ascertain its good points, if there be any, and also see its shortcomings. As to the value of the system, the greatest thing that can be said in its favor is that it has been in vogue a very long time and seems to be considered by most politicians, as the only system of voting. "English writers" says Mr. Archibald Dobbs in "The Irish Year Book, 1909" "Often write as if elections by bare majority is the only natural or possible mode of election as if it was like day time and night, seed time and harvest; something fixed and in the nature of things, not to be questioned or examined or improved." As a matter of fact the system was started in the very birth of our government and has been adhered to, all but universally, ever since. It was devised when nearly all the elections were in single member districts and when there was little or no connection of the governments of the districts, and when there were two parties only. "It cannot be a matter of surprise that the methods of election adopted in the early stages of representative institutions fail to respond to the more complex political condition of highly civilized communities.

The movement in favor of improved electoral methods is in keeping with the advances made in all other human institutions. We no longer travel by stage coach nor read by rush light.

We cross the Atlantic with a certainty and ease unknown and undreamed of a little while ago. Means of communication, the press, the mail, the telegraph, the telephone, have developed marvelously in response to the modern requirements. This continuous adaptation is the law of existence and in view of modern political conditions we cannot continuously refuse to adapt our electoral methods to the more perfect organization of progressive democracy. Our present system-exclusive majority representation- has often resulted in gross exaggeration of the majority, sometimes in total suppression of the minority; and in other occasions in the return of majority representatives by a minority of electors. These evils have happened when only two parties have been seeking representation; when a third party enters the political arena the system completely breaks down."¹

Some of the defects of the system may be deduced from the table on the following page which shows the results of the election for United States Representatives on November 3rd, 1914, for Kansas. The fight was mostly between the Republicans and the Democrats with the Progressives, Socialists, and Prohibitionists coming in with an occasional nominee. The total number of votes cast was 485,673. Of these the Democrats poll 195,830 and the Republicans 188,096. The Democrats got six representatives and the Republicans, with only 7,734 fewer votes than the Democrats got two. The Progressives with 74,101, more than a third as many as the Democrats received got no representatives at all.

1-"Proportional Representation" page 108.

ELECTION OF UNITED STATES CONGRESSMEN FOR KANSAS

November 3, 1914.

	Rep.	Dem.	Prog.	Prohib.	Soc.
1st. Cong. Dis.	31,589	20,279	9,259	-	-
2nd. " "	24,732	28,412	12,271	2,718	-
3rd. " "	30,644	21,492	7,871	3,018	11,380
4th. " "	19,331	23,894	6,626	970	-
5th. " "	22,756	25,142	7,083	-	-
6th. " "	21,353	27,359	6,847	-	2,631
7th. " "	26,181	27,740	12,537	3,393	-
8th. " "	11,520	21,512	11,907	1,246	-
Total votes cast					
483,673.	188,096	195,830	74,401	11,345	14,001

Each Democrat elected represented 32,638 voters while each republican was sponser for 94,048, and 99,747 voters got no representatives at all. The 195,830 Democrats got six representatives; the 277,843 other voters of the state got two representatives. Anything like a fair apportionment, proportional to the votes cast would have given the Democrats three, the Republicans three, and the Progressives one, with the other one left in doubt, to be chosen by the minority factions and the surplus of these three parties.

This is a clear case of minority rule. It does not in any way represent the will of the factions. At one time this system may have pretended to represent the whole voting constituency but at present it is frankly partisan rule for the benefit of the party-- a most purious system for the benefit of democracy

We have thus seen the shortcomings of the old system and how it fails to meet the needs of modern democracy. Let us now see what reforms have been inagurated.

Voting methods have long been considered as surface measures. Until recently little has been done to affect the real theory of elections, but reforms as to the manner of conducting the old style elections have been numerous, and while they have improved conditions to some extent they have failed to hit the real mark.

At one time voting was public and oral. It is so obvious how this system works to the detriment of the unbiased expression of the popular mind that it requires small space here. Suffice it to say that secrecy is absolutely necessary. This

fact was early recognised and the secret ballot was inaugurated. For a time the reformers thought that they had done about all that was possible in ballot reform but the problem of the proper form of ballot soon asserted itself.

"In the earlier periods of American history", says Mr. Munro¹ "Voters were required to provide their own ballots; but candidates and their organizations soon adopted the practice of preparing printed slips which the voters might use if they wished. As the number of elective offices increased these ballots grew in size.... if he (the voter) wished to depart from the list he erased one or more names and wrote in others.

"The system was open to many objections. It was the custom of the party organizations to provide ballot paper which from form and color could be recognized even when folded so that secrecy of voting was practically destroyed. Furthermore, a heavy premium was put on voting a straight party ticket."

These objections brought out the need for the so called Australian ballot which bears the names of all candidates, whether put forward by the party or otherwise. It is printed under close official supervision and in limited numbers, and supplied to each polling place for the use of voters, all have to be accounted for when the voting is over. Their use insures absolute secrecy and affords some security against fraudulent practices. However the practice of putting at the head of each list of candidates the emblem of the party to

1-"Governemnt of American Cities", page 142.

which they were affiliated, together with the practice of nominating a long list of candidates, took from the voter the opportunity of voting intelligently outside of party lines. Again the reform missed the mark. The Massachusetts ballot which came in 1888, removed the party emblem and helped to remedy these defects. The short ballot which is now being advocated, and in a great many places adopted, is certain to further improve the system. Since it is possible for voters to be acquainted with only a few candidates and to give an intelligent opinion at the polls regarding them, the long ballot is contrary to the rules of public opinion and can never be free from great and grave faults. The short ballot is the first of the reforms that seems to be deeper than surface adjustments. It is being fought vigorously by machine politicians because it is a menace to their dominance.

"It is not enough", says Mr. Munro¹ "to have the ballot small and the names upon it few. No matter how scant the number of names, the voters will not arouse themselves to any intelligent part in the election if none but unimportant offices are to be filled. The ballot should bear therefore the names of those only who are candidates for such municipal offices as bulk large in the public imagination-- the posts of mayor, comptroller and members of the city council, if the latter body be not too large. It is also highly desirable that the ballot be within the reach of candidates who have no party organizations behind them.

1-"Government of American Cities", page 146.

This can be achieved to some extent by the elimination of all party designations on the ballot, but more effectively by the establishment of a system under which voters will indicate, not merely their first choice for office, but their second and third choice as well.

"The aim of the ballot ought to be, in a word, to extract from the voters, not merely a part of his judgement in regard to the list of names set before him, but the whole of it. A ballot that asks the voter to designate only his first choice solicits a partial judgment only. Voters ought, therefore, whenever possible to be asked for their opinion concerning two or more candidates on the ballot which means that some variety of the so termed "Preferential" ballot may well be employed when the number of elective offices is small enough to permit its use."

"Preferential voting or the Ware system," according to Hoag,¹ "Is a plan of voting by which the first count is only of first choice votes. If no candidate has a majority the lowest candidate is excluded and his votes only are scrutinized and added to the votes of the other candidates as the preferences indicate. The candidates are thus successively excluded until two only are left of whom the higher will be elected".

This system is of special value in voting in single member districts for legislative officers or for single executives as a governor of a state. However executives are better

1- "Proportional Representation Review", Oct., 1914.

chosen by a council than elected, and electing legislators or councilmen from single member districts is a poor system.

Then preferential voting is of interest to us only to pave the way for the most complete and satisfactory system yet devised--proportional representation.

Before we take up this question, however, it may be well to mention two more subjects that are vital to the proper electoral procedure. They are separate municipal elections and, means of nomination, including the non-partisan primary.

On the first point Mr. Munro says¹: "The practice of holding state and municipal elections on the same day has been influential in bringing state politics into city affairs.

Identity of election dates usually means that the state and municipal parties conduct a mutual campaign, which is another way of saying that the interests of each party organization in the city will be sacrificed, wherever necessary to the interests of the same party organization in the state.....

Partyism is not in itself an objectionable feature of a municipal campaign. The objection is only to the identification of state and municipal partyism, or in other words, to the trailing into the municipal arena of party programs and partyisms that have no local relevance. So long as the voters of a city divide according to their state party affiliations, there is little or no opportunity for division upon local issues". And it may be added as long as city voters follow state party affiliations, in their elections, they are certain not to form or

1-"Government of American Cities", page 140.

express opinions on local issues, for opinion requires thought, discussion and correlation. Blind partisanship excludes this. It is therefore evident that to get the best results from elections the state and party tickets should be presented on separate days. The writer has for some time (although it was not absolutely original with him) been of the opinion that proper nomination methods are of more importance than proper election methods. The latter is a selection from among a few ---usually not more than five--- men of one for an office, while the former is a selection of the few from among a very great many. If party, machine, ring or special interest controls this nomination process the voters are simply confronted with the choice between "the least of the evils". Party caucuses and conventions have been so notoriously corrupt in their selection of candidates that reform in this phase has been taken up in nearly every department of government, and specially in municipalities.

The custom of selection by primary of candidates has largely taken the place of the caucus, and in many respects it is far superior. However it is a very expensive system and since it requires the candidate to go through two elections and incur a great deal of expense--- too much to be born by a candidate by himself--- it makes him dependent upon the party machine. Again the public has no way of expressing their desire in regard to men. The petition seems to be meeting with much greater success. It is simpler and also much cheaper. Boston is using the system quite successfully. A petition containing five-thousand names of qualified voters is required. However it

seems that they are still too complicated to be thoroughly successful. It is evident that when the will of the people is to be extracted the simplest and most easily understood method is the best method. Any complication detracts from expression of the public will on the question at issue and makes it harder for every citizen to have a fair chance at being nominated.

Mr. Munro says¹: "The establishment in American cities of a system of nominations that will give every citizen a fair chance to offer himself as a candidate for public office and yet not bring an avalanche of names upon the ballot is something yet to be achieved. One is moved to ask however, why that it should be so serious a problem in America when it is such in no other country. In England it needs the names of only ten qualified voters to put a candidate before the municipal electorate; in France and Germany any voter may become a candidate for municipal office upon his own personal announcement. Even in the cities of Canada where social and political conditions are not very different from those of American Municipalities, any two voters may officially nominate a candidate. In all other countries the road to a place on the ballot is easy enough; yet the number of municipal candidates is everywhere smaller than in the United States. What one may have for the asking one is not apt to desire for its own sake. Mere candidacy for municipal office is regarded as an honor no where but in the United States, and it is so regarded here only because nominations have been so

1-"Governments of American Cities", page 138.

difficult to obtain. When it is nearly as hard to get one's name on the ballot as it is to win an election, and sometimes even harder, nominations are liable to be sought for their own sake. If the American city were to put upon its ballot the name of any voter who asks to appear there it would find, judging from the experience of every other country that, far from being deluged with aspirants, it would in the long run have fewer names on the ballot than under a system of demanding five-thousand signatures!

Nomination reform ought to move in the direction of simplification; its aim ought to be to make it as easy for a voter to have his name printed on the ballot as it now is for him to write it there when he goes to the poles. Were this done many present nomination troubles might eventually pass out of existence.

Now, to summarize, let us embody in a paragraph the election reforms as we have traced them to their present status. We have come to the conclusion that a secret, short, non-partisan ballot, embodying nominees for important offices only, is the best type of a ballot. We have agreed that elections for state and city should be held on separate days, and that nominations should be as simple as possible, even suggesting that they be open to anybody by a very lenient petition system. We will conclude subsequently that elections should be for legislative office, and only a few of them.

Professor A.R. Hatton of the Western Reserve University¹

1-A pamphlet published by the Ashtabula, Ohio Chamber of Com.

suggests that Ashtabula, Ohio, a little city of 20,000 people situated on the south shore of Lake Erie has the "last word in city government". It has the above mentioned reforms. It is the first city in the Western Hemisphere to take one step further in advance and incorporate with these reforms -- proportional representation. Ashtabula has a business manager and a seven member commission elected at large by proportional representation.

Proportional Representation.

"We have often heard," you say, "Of proportional representation, but just what is it?"

"The theory of proportional representation", according to Mr. Hatton, "Is that each considerable party or group of opinion should be represented in the council or representative body in proportion to its voting strength. Thus if, in any election at which seven representatives are to be chosen, the Democrats cast four sevenths, the Republicans two sevenths and the Socialists one seventh of the vote, those parties should be represented in the council by four, two and one representative, respectively. It thus agrees with our ideas of expression of public opinion---giving each considerable group a voice in the deliberative body.

There are several plans of proportional representation.¹

The ones most widely known are (1) the Lists System, used most generally on the continent, namely in Belgium, Sweden, France, Switzerland, and many of the states of Germany, and (2) the

1-Hereafter the adopted sign., P.R. for proportional representation will be used.

Hare system, used to some extent in England, Ireland and Canada. Fundimentally, the two systems are alike and function to the same end. They differ in that the Lists system fits in with and conforms better to the party plan of government and is consequently quicker taken up than the Hare system. The names appear on the ballot in lists, put forward by the same signed petition and correspond to the party ticket although no party emblem is attached. The Hare system recognises no lists. Names are put on the ticket by a two-percent (usually) of the voters petition. Each candidate stands upon his own strength alone. The Hare system is used in Ashtabula. The candidates get their names on the ballot by filing a petition signed by two percent of the voters. No voter can sign a petition for more than one candidate. The voter may mark preferences for as many candidates as he chooses, The figure, (1) indicates his first choice, (2) his second and (3) his third and so on. Although any number of preferences may be marked and though seven members are to be elected, no ballot can be actually counted for more than one candidate. In order to be elected a candidate does not need a majority, or even a plurality of all the votes, but only a trifle more than an eighth of them.

To determine the number of votes necessary for the council, the total number of voted ballots is divided by eight and the whole number next higher than the quotient thus secured is taken as the number of votes required to elect. This number is chosen because it is the smallest whole number that can be taken seven but not eight times from the total. In other words,

it would be possible for seven candidates to get that number of votes out of a given total, but eight could not possibly do so.

If it does not appear on the first count, that the seven members are elected, and the elected members have votes in excess of the quota, these votes are again scrutinized and the preference recorded, according to second choice on their ballots, If still some members do not have the necessary quota, the one with the lowest number of votes is declared defeated. His votes are then scrutinized and distributed in the same way. This done the now lowest candidate is declared defeated, and his ballot transferred according to the second and third preferences. This process goes on until all the votes find their way to the seven piles and all members are elected.

This abstract account of the method sounds complex, but in actual practice in Europe and in Ashtabula, where an election was held on November 2, 1915, no difficulty has ensued. Although the board at Ashtabula was entirely inexperienced and without proper equipment the report of the election was out in about three hours after the count began. At no time were the officials in serious doubt as to the steps to be taken.

An actual following out of the election methods pursued at Ashtabula may serve to clear up the system in the minds of the readers. On the following page will be found a table showing the count and its different steps as they were taken.

The total number of valid ballots was 2,973. The number of seats or offices to be filled was seven. The Quota or constituency then was $\frac{\text{number of valid ballots}}{\text{number of seats} + 1}$ or 2,972 divided by 8, gives 371.5. The next number larger was 372 or the quota. It will be noticed that McClure had 392 votes, or twenty more than the quota, so twenty of his votes were taken from precincts as fairly distributed as possible¹, and scrutinized and the second choice recorded. It was found that McCune got eleven, Earlywine, 2, Rinto, 1, Flower, 2, Carlson, 2, and Loose, 1. Still no one had the necessary quota so Lampella who had only 25 votes was declared out of the running. His 25 votes were investigated and the second choices recorded. Still no one had a quota and Loose, the now last man in the race, was declared defeated and his 107 original votes distributed according to their second preference, and the one received from McClure surplus, according to the third choice. Cook, Carlson, Flower, Tilton, and Rinto are successively declared defeated and their votes distributed until all votes at length find their way into one of the seven piles, or laid aside by reason of the fact that an insufficient number of preferences were marked on the ballot. Of course the last seven men on the list were elected.

1-The theory underlying this action is that every voter has the right to be represented. If he cannot have his first choice, because that candidate already has so many votes as to be elected, or if he has so few votes as to be impossible, the voter has a right to have his vote, not wasted, but scrutinized and counted as to his second or third choice.

TABLE

Of Votes Cast in Ashtabula

Mc Clure	Hogan	Mc Cune	Early wine	Gudmun son	Briggs	Cor rado	Rinto	Til ton	Flow er	Carl son	Cook	Loose	Lamp ella
392	322	309	289	292	211	196	237	193	147	138	114	107	25
0	11	2	0	0	0	0	1	1	2	2	0	1	0
1	3	1	0	0	0	0	4	0	1	1	1	0	
12	10	6	0	2	5	2	3	10	14	10	0		
5	3	11	6	3	10	1	3	5	10				
24	1	8	12	16	32	2	4	0					
8	27	6	9	20	30	2	0						
	8	38	24	34	9	14							
372	372	372	361	343	286	282	263	204	165	165	115	108	25
E L E C T E D							D E F E A T E D						

It may be noticed from the table, that, with one exception the seven men highest at the first count were elected. Mr. Rinto, a young Finnish lawyer, had more first choice votes than either Briggs, or Corrado, but was defeated by the second and other counts. However Mr. Rinto watched the counts through and expressed himself according to the P.R. Review, Jan. 1916., as being satisfied as to the fairness of the system.

Mr. Rinto said after the count was over: "I am still heartily in favor of P.R. as given under the Hare plan, and I hope that this plan receives the hearty cooperation of the people of Ashtabula in the future".

The big question about this election is, did it give representation to the different groups of the city? Ashtabula was a very good city in which to try out this plan. There is little or no division in the city as to national parties, except that there is a Socialist group. There is in Ashtabula a good harbor in which a big portion of the coal and iron commerce of the Great Lakes is transacted, and consequently there is a section of the city made up of people engaged in shipping. There is a large foreign element. The town is about evenly divided on the liquor question. Ashtabula, is, moreover, a thriving little business city.

Now to see how well these groups were represented. Mr. Hatton says¹: "McClure is manager of a department store-----

¹-Pamphlet published by the Ashtabula Chamber of Commerce.

one of the largest in the city, Hogan is one of the leading physicians of the city, McCune is a Green-house man, Gudmundson is assistant cashier of a bank in the harbor district, Earlywine is clerk and paymaster of a large ore company, Briggs is a newspaper man, and Corrado a salon keeper!"

"The business element may be said to have three representatives. The Irish, Swedes, and Italians each elected one member. The Socialists elected one member and the harbor district is represented. On the liquor issue, three of the successful candidates are pronounced drys, three are classed as liberal, and one as very wet".

The Ashtabula Beacon, November 5, 1915, says: "P.R. has been demonstrated and found better than expected. In analyzing the result we find that all sections and factions are represented in the new council. There are two from the first ward, one from the second, two from the third, and two from the fourth. Three from the harbor and four from uptown, one from the east side and two from the west side of the harbor, one from the west end, one from the south end and two from the central portion of the uptown section of the city. Four of the old council were reelected. The drys and wets are represented. The Protestants and Catholics, the business, professional and laboring, the Republicans, Democrats, Socialists; and English, Swedes, and Italians are all represented, while there were more divisions than places. It would be hard to find a more representative council in any other way"

The "Star", November 5, 1915, says: "It is generally

conceded P.R. has given Ashtabula a broadly representative council, probably the most representative body in the city's history!"

In 1908 a model election was held by the P.R. society of England at Caxton Hall, Westminster, South Wales, for the purpose of giving the P.R. system a good tryout.¹ "In this election it was assumed that the voters in the constituency returning five members were asked to make their choice among twelve candidates. These candidates were all well known political men and were chosen with an attempt at impartiality from the Liberal, Unionists, and Independent Labor parties. The ballot paper was sent accompanied by a short explanatory note, for publication to, and appeared in fifteen of the most important English newspapers. Readers of the newspapers were asked to cut out the ballot paper, mark it and return it to Caxton Hall by the first post on the morning of Tuesday, December 1, 1908. Ballot papers were also circulated independently among members of the P.R. society and their friends. About 18,000 papers were returned by the newspaper readers, and about 3,700 by members of the society and their friends. In all a constituency of 21,690 electors was formed, a number whose votes were large enough, but not too many for counting in a single evening.

1-"Proportional Representation" J.H.Humphries, pages 146-150.

When this first count was made it was found as follows:

Asquith(Liberal)-----	9,042.
Balfour(Unionist)-----	4,478.
Lloyd George(Liberal)-----	2,751.
MacDonald(Labor)-----	2,124.
Henderson(Labour)-----	1,038.
Long(Unionist)-----	672.
Hugh Cecil(Unionist Free Trader)---	460.
Shackleton(Labor)-----	398.
Burt(Liberal)-----	260.
Lief Jones(Liberal)-----	191.
Smith(Unionist)-----	164.
Joyson(Hicks(Unionist)-----	94.
Total-----	21,672.

Since the number of places to be filled was five, the quota was found by dividing 21,672¹ by six and adding one to the result. The number found was 3,613. It will be seen that both Lords Asquith and Balfour had more than the quota, so it was necessary to distribute the surplus. This distribution is the only essential feature in which the English election differed from the Ashtabula election, and since it remedies the most obvious defect in the Ashtabula plan, it affords my chief object in mentioning this "Model Election of 1908"

In the Ashtabula plan no attempt at a scientific distribution of the surplus was made. It did not make much difference with the results, because the surplus was small. But in a case where there is a large surplus and the whole vote quite evenly divided between two second choice candidates, it is evident that an injustice might accrue by leaving the vote of one candidate in the quota and distributing the preferences of the other only. The English system does away with this possibility, and resorts to an absolutely scientific method of distribution. The idea is that each second choice candidate should receive a number of votes proportional to the total number of votes expressing a preference.

1-This number is a little smaller than the number of ballots cast. The discrepancy of 18 was due, no doubt, to spoiled ballots, those marked with more than one first choice.

In the Asquith transfer there were 5,429 surplus votes. The total number of Asquith votes which expressed a preference at all was 9,009, then the proportion to be transferred to each preferred candidate can be stated as : the surplus is to the total number of preferences as the preferences of each candidate is to X. For instance this number is found by multiplying by the fraction $\frac{5,429}{9,009}$. The number of papers on which voters had marked the next preference for Mr. Burt was 468. Multiplying this number by the above fraction we have 282 to be counted for Mr. Burt, and 186 to be retained for Asquith's quota. Of the 7,808 Asquith-Lloyd George votes, Mr. Asquith ^{retains} 3,103 and 4,704 go to Lloyd George. So it is with all the candidates, each receives his proportionate share of the whole.

On the following page is a table which shows the whole transfer of the Asquith surplus.

The rest of the election followed the same plan as the Ashtabula election. The result, however is interesting. The men elected were Asquith(Liberal), Balfour(Unionist) Lloyd George (Liberal), Burt(Liberal), and MacDonald(Labor). "The fairness of this method", says Mr. Humphries¹, "Is at once apparent. Each group of electors as large as a quota secured a representative. The Liberals were in a very large majority, and the block system would have nominated five candidates and obtained all five seats. In this election the two smaller groups, the Unionist and Labor parties each returned one member. The voters did not, in recording their preferences, restrict them

1-"Proportional Representation", page 159.

Transfer Sheet.

Distribution of the Asquith Surplus Vote.

Votes cast ----- 9,042.
 Quota ----- 3,613.
 No. of papers showing next preference ----- 9,009.
 Surplus ----- 5,429.

Proportion to be transferred ---- = $\frac{\text{Surplus}}{\text{Total of next preferences}}$
 = $\frac{5,429}{9,009}$

Names of candidates indicated as next preference.	I No. of papers on which the candidate is marked next preference	II No. of votes transferred to next preference.	III No. of votes retained for the Asquith Quota
Balfour	Already had more than Quota		
Burt	468	282	186
Cecil	132	79	53
Henderson	261	157	104
Jones	176	106	70
Joyson-Hicks	17	10	7
Lloyd George	7,807	4,704	3,103
Long	46	27	19
MacDonald	51	30	21
Shackleton	35	21	14
Smith	16	9	7
Total of next preference	9,009	5,425	3,584
Preferences exhausted	33	-	33
Total	9,042	5,425	3,617 ¹

1-This number slightly exceeds the quota due to neglect of fractions.

selves to the candidates of one party, but nevertheless it will be of interest to compare the seats gained with the strength of the party as indicated by the first preferences. The party vote disclosed in the first count was as follows:

Liberal-----	12,244.
Unionist-----	5,868.
Labor-----	<u>3,560.</u>
Total-----	21,672.

The quota was 3,613 and these totals show that the Liberals obtained three quotas with 1,405 votes over and gained three seats. The Unionists obtained one quota with 2,255 votes over and gained one seat. The Labor rights obtained one quota less 53 votes and gained one seat. This result is as fair as is possible, and would have been equally probable if, as would probably be the case in a real election, there had been but little cross voting. The total results in the Tasmanian general election in 1909 (six-member constituencies) showed an exact proportion between the votes polled and the seats gained by the respective parties.

There are three criticisms of P.R. which are quite generally felt. They are (1), the effect of later preferences in deciding the result of an election, (2), the process of eliminating candidates at the poll, and (3), the cost.

None of these when examined retain any of their portentous bearing. A careful analysis of the preferences recorded in the Tasmanian election ¹ was made by a commission appointed for 1-"Proportional Representation", Humphries, page 163.

the purpose by the Tasmanian government. This committee ascertained that the comparative values of the various preferences in determining the result of the election were as follows:

First preference	-----	73.9 %
Second	" -----	14.01%
Third	" -----	.51%
Fourth	" -----	.29%
Fifth	" -----	.14%
Sixth	" -----	.08%
Seventh	" -----	.09%
Eighth	" -----	.08%
Ninth	" -----	.03%

It can be readily seen from this table that there is no undue waste resulting from the later preferences.

The second criticism is that by eliminating candidates at the bottom of the poll, men are apt to be defeated, who had they remained longer would have been elected. Where there is a constituency returning only a few member, say three, there is a possibility of such an injustice. But it does not seem to work out in practice. When the constituency returns a larger number, say seven, any one polling one eighth of the votes is safe. No eliminations are made until after the surpluses have all been distributed. Investigation in the Tasmanian House of Assembly in April, 1909, as to this point, proved that there was no injustice in this matter.

The third objection, that of the cost of such an election, is not well founded either. It is true that it takes a little longer, and also a few more people to carry on a P.R. count than an ordinary election, but even at that the results would justify the extra expense, which would not be great. People who bring this objection forget that the P.R. system does away with all the expensive machinery connected with a nomination campaign or a primary. When this point is considered the objection as to cost pales into insignificance.

Besides giving each group its voice in the government, Professor Hatton says¹; that the other advantages of P.R. are very great. Stability and continuity of membership in the council will be very much greater. The tenure of a good manager is thereby made more secure. A ten-percent fluctuation in public opinion will produce only a corresponding change in the council, whereas under the common at-large method the swing of ten-percent may produce either a hundred percent overturn in the personnel of the governing body or no change at all.

The voter may vote exactly as he desires with no fear of wasting his vote. A Prohibitionist, for instance, may mark his sentimental vote for a probably hopeless Prohibitionist candidate and yet also turn his influence toward someone who has a better chance of election.

No political organization, or caucusing of any kind to

1-"Ashtabula Pamphlet"

prevent a group of voters from being split among too many acceptable candidates, is necessary. The alternative second and lower choices will automatically bring the groups together again. The whole field of political bluff and strategy is swept away. A minority, no matter how compact and drilled in its machine organization, cannot capture the control, no matter how split up and disorganized the opposition may be. The scheme makes machines weaker but makes live parties stronger.

Dr. Lent D. Upson, formerly director of the bureau of Municipal Research of Dayton, says that the plan tends to secure for the administration the cooperation of all the interests and of all sections of public opinion.

However well this plan works out in theory, or however well it seems to be working in this one little American city, we would not be justified in recommending it to the people of American municipalities unless we had further proof of its excellence.

At a dinner given at London in February, 1914, by the P.R. society of Great Britain a number of men high up in European politics spoke. The testimony given by them shows that the countries in which P.R. is used in the election of Parliamentary Chambers or municipal councils are satisfied with it. It is used for such elections in Belgium, Switzerland, Sweden, Finland, South Africa, Tasmania, and elsewhere.

Count Goblet d'Alviella, vice president of the Belgium senate, said: "A significant fact is that none of the countries

nor even the parties which have tasted of P.R. have ever returned to the flesh-pots of the majority system. In Belgium where the first man who spoke in Parliament of P.R., Jules de Smet, was treated as a lunatic even by his own friends, there is no political group of any importance which would dream to suppress or even to curtail the use of the proportional system. And this is rather meritorious from our opposition parties, as they have been defeated in all elections which have taken place since the reform!"¹

M. Georges Lorand, leader of the Radical Party in the Belgium Chamber of Representatives said:² "I belong to the radical wing of the liberal party, but on this occasion I speak on behalf of the political parties of my country. We have used it (P.R.) for thirteen years and we have had six general elections with the new system and the result is that not a single party or a faction of a party is opposed to the reform; Its extension is inscribed in the program of all parties. It is certain that the system of P.R. in Belgium will never be changed save to render it more complete, more just, and more proportional. Another benefit of P.R. for the country has been not only that all parties are represented in the Parliament and in the great municipalities but they are represented by their ablest men and leaders, whilst under the former majority system prominent men, such as Paul Janson, passed half their lives outside the House in consequence of the hazards of the ballot.

Parliamentary life has consequently gained an authority!"

Dr. Horace Micheli, Journalist of Switzerland gave as his testimony, to wit: "Nine of our twenty-two cantons today employ P.R. for the election of their cantonal councils. It is about to be introduced or is, at least under discussion in three others, including Zurich. Further it is used by several towns at their municipal elections. The most important towns in Switzerland, Zurich, Basel, Geneva, Berne, Neuchatel, and Fribourg, and many others of less importance, employ it in the election of their town councils. Everywhere I can affirm, it has given entirely satisfactory results, and the number of persons who vote has greatly increased. We have always found that P.R. increases the percentage of electors who take part in elections.

Sir John McCall, Agent general for Tasmania, said: "In Tasmania P.R. has stood the test of many elections. We have demonstrated the ease with which the system can be worked. It has come to stay!"

Both Herr A. Lindman, late Prime Minister and leader of the conservative party in the second Chamber of the Riksdag of Sweden, and Herr Daniel Persson I. Talberg, deputy speaker of the same house, and Herr Jalmar Branting, leader of the social Democratic party of the second Chamber declare in favor of the system. The first said: "It (P.R.) has not proved to put a premium on men of average ability and intelligence, but had distinctly raised the intellectual level of the men returned". Talberg stated that "Another feature deserving mention is that the

change of the method of voting was introduced, the election contests have been less violent in nature, seeing that direct personal attacks on personal individual candidates occur less frequently". Branting concludes his remarks by saying: "The thought of returning to the majority method of voting is certainly not now entertained in any quarter".

Mr. Charles Benoist, member of the Institut de France deputy (moderate liberal) for Paris, of the French Chamber of deputies, spoke of P.R. as "Among the greatest improvements yet made in governments".

German officials also approve of it.

With such recommendations as these the practicability of the plan is certainly established.¹

As opposed to these recommendations president Lowell² says: "Another remedy earnestly advocated in France, and faintly heard elsewhere may be noted for a moment. It is a suggestion that instead of representing geographical districts the members of a legislature should represent distinct interests; that instead of being elected by all the voters in a certain area they should be elected by people engaged in definite occupations. Thus we should have representatives of manufactures, of bankers, of lawyers, of farmers, of artisans, and so on. The plan illustrates the principal we have been considering for it would tend to eliminate altogether the theory that a member of the legislature represents the nation as a whole. Each man would hold a brief for some special interest. All would be for factions and none for the state. The condition would be worse than excessive representation." "Public Opinion and Popular Government", page 121.

ation of localities, because the aims of the several districts are not of necessity antagonistic, as those of different occupations are assumed to be in such a proposal. The suggestion is contrary to the principal that the legislative body ought to give effect to public opinion, because the true conception of public opinion is not a sum of divergent economic interests, but a general conception of political righteousness on which so far as possible all men should unite!"

President Lowell, all through his book, emphasises the need of legislators, who will represent the whole nation and not localities or special interests, and yet he gives no constructive scheme to obtain them. He declares that the legislators should represent public opinion and vote accordingly as it is expressed by their constituencies on some subjects and also vote according to their own best judgement on others, but always they should represent "A general conception of political righteousness" on which so far as possible all men should unite". Now we agree thoroughly with the dear President on these matters. In fact we believe that such a legislature would be ideal. But, how, we ask, is the nation to obtain such a legislator? Most assuredly not by the present methods. He certainly is in demand. A man who could know what the public opinion of the whole nation is at all times on questions of general policies or all questions to which public opinion would apply, and could act intelligently and effectively on all questions to which public opinion does not apply, and yet base all his actions on "A General Conception of Political Righteousness"

Such a man would certainly be a God-send to any community. In fact we would almost be willing, even in America, to turn over the reins of government to him and say "You run it yourself and see if we care!" Such men would be paragons and the hope of obtaining any number of them is a practical impossibility.

A legislature is properly a deliberative body for the formation into law of the public opinion of a nation. It is impossible for one man to keep in touch with the public opinion of the whole nation, but it is quite possible for him to know the opinion of a group and logically put forward that opinion in a deliberative body entirely composed of men representing group opinions. By the interchange among themselves of these ideas or opinions of their groups, a real public opinion of the whole can be formed. In this and in no other way can the opinion of a large group be ascertained.

There may be some grounds of President Lowell's fears that these group representatives would hold to their own briefs and become irreconcilables. Many legislators representing political machines or boss-riden localities have been and probably always will be irreconcilables. Their object in being in office has been, not to formulate policies or to accomplish legislation but to dabble in executive matters and get for their constituencies the things which will strengthen the machine rule. They vote by party and not by men or measures. An example of this was recently described in the New Republic in which it was affirmed that a certain project, being brought up in the House of Representatives by the Republicans, was promptly voted down

and this act considered by the Democrats a political victory. The same measure, later being brought up by the Democrats and opposed by the Republicans, was passed. This was considered a defeat by the Republicans.

Under the P.R. system only a few men are elected and what they do is directly open to the gaze of the whole nation or city, as the case may be. They are responsible leaders of their groups. They deal only with formative principals or policies, leaving the administration to experts, business managers. Irreconcilables may creep into this form of government as they have in every other, and become a disturbing element, but since their only object in being in the council is to formulate opinions the main cause of irreconcilables is removed and there is much less cause for fear from this source than there is for any other. Again it will be readily seen by a group that such a man does not make a good representative and tends to harm rather than benefit the group, so he will not be chosen, at least the second time. The group consciously selects men to help formulate policies for the whole, and if a man fails to aid in this function, he is apt to be treated according to the theory "If thine eye offend thee, pluck it out". So when we go to the bottom of President Lowell's contentions they do not really appear so portentous.

In the early stages of President Lowell's book he says¹

1- "Public Opinion and Popular Government", page 15.

"Public opinion to be worthy of the name, to be the proper motive force for a Democracy must be really public; and popular government is based upon the assumption of a public opinion of that kind. In order that it may be public, a majority is not enough and unanimity is not required, but the opinion must be such that while the majority may not share it, they feel bound by conviction, not by fear, to accept it; and if democracy is complete the submission of the minority must be given ungrudgingly". That is to say, as President Lowell tells us on page 12 of his book, that irreconcilables have no part in the formation of public opinion.

For P.R. to work properly, groups must not send as representatives irreconcilables. They must consciously choose men who will forcefully and adequately present to the deliberative body the opinions of the group and help to amalgamate that opinion with the opinions of all other groups and then accept ungrudgingly the amalgam.

We do not claim for P.R. that it is a Panacea. No form of government is. It requires interest, it requires cooperation it requires a great dissemination of knowledge, and it requires strength of conviction to make it operative. But just because it tends to produce these factors and because it combines with it the best theories of government, especially as applied to municipal life, it seems that P.R. is the best instrument devised so far for the application of public opinion to the government.

The Community Brain
 From "The New Republic" Mar. 4, 1916.

"I don't believe" said Holmes, flicking the ash from his cigar, "That there is any great hope for us as a democratic nation until we become more firmly grounded in the philosophy of common denominators."

"Holmes," I said solemnly, "That sentence is worthy of a German Professor. What, pray, does it mean?"

"It means simply this, my son. It means, first of all, as Faguet put it in that biting little book of his, that democratic government is a 'Cult of incompetence'."

"Faguet certainly had it in for democracy," I said, "And so you've decided with that biting Frenchman that we must turn aristocrats; that's what you mean?"

"Wait till I finish", said Holmes, "It's one thing to be dissatisfied with democratic government as it is now organized. It is quite another to be dissatisfied with democracy."

"I stand corrected", I replied, "And I agree thoroughly with the cult of incompetence. My own pet horror, Holmes, is Albany. Once in a while, when I want to make myself vividly aware of my own blessings, I imagine myself compelled to hand over to any Albany bunch some big project in which I am interested---some project requiring insight and broad vision. It's the greatest stimulus to personal thanksgiving that I know."

"Albany governs us", says Holmes,

"So much the worse for us", I replied.

"But Albany is selected to govern us."

"So much the worse for the selecting."

"Precisely. That's what I meant when I said a moment ago that as a democratic nation we weren't firmly enough grounded in the philosophy of common denominators."

"Explain", I said.

"It's perfectly simple," said Holmes, "Take two numbers-- 36, say and 24. The greatest common denominator is 12. Add another number say, 42. The greatest common denominator now is 6. Add still another-- 21, the denominator reduces to 3. Add another-- 13, it reduces to 1. The more the numbers and the more various, the smaller the greatest common denominator becomes."

"That's true, isn't it? Now simply change the numbers to people and the entire matter becomes plain. Take, for example, two people of the same education, occupation and general environment. Their common denominator-- the ground, that is, of their common understanding, their common agreement--- is relatively large. They have all sorts of things in common. They understand each other; they can range over broad fields in their talks with each other; their agreements are wide and significant."

"Now take these same two people--- physicians, say--- and add a merchant to their number. At once the field of common understanding shrinks. Add a barber. It shrinks still more."

Add a grocer, a peanut vender, an expressman, a saloon-keeper, a garbage collector. By the time you've got all you'r 57 varieties of human creatures in, the field of common understanding has shrunken almost to a pin-point."

"And so?", I said,

"The curious thing is that we dont see it," said Holmes; "Paritcularly in our big cities. We assmble the 57 varieties and bid them express their 'common will' in the selection of someone to represent them. What type of men do they select? Not the type of men that physicians would select if they could have their sole say; not the type the scientist would select, or merchants, or engineers. They select men--- there is no help for it under the present order of things--- acceptable to the whole motly crowd; the men, in short, who are the greatest common denominators of the crowd. They're our politicians.

"I have no aristocratic scorn of the crowd." Holmes continued. "But I dont believe---no one does when he comes to consider it--- that crowd psychology is a particularly effective type of psychology for the government of life. For think of what we loose by it. Here is a group of physicians. They have knowledge of much that concerns the public welfare, they have a point of view that is vital to society. But that knowledge and that point of view are never given a chance to express themselves in government. In a sense, of course, they are allowed to express themselves-- through health boards- but never in broad social ways- in the general get-up of a city, parks, recreation and educational work and so on. When the time comes to select the men who are to look after these broad social matters, the physicians must be content to choose someone acceptable likewise to Peter McCluskey the expressman, and Antonio Carducci, the street-sweeper- to choose, in short, a miserable makeshift of a commondenominator. And it is just as bad for Peter and Antonio. They too, know things; they too as groups have points of view, not as intelligent, perhaps, but of value if they could get expressed. But the Antonio and the Peter groups are sunk in a general mass which really has no distenct point of view at all.

"The fact is," said Holmes with emphasis, "We really haven't yet learned to tap the brain of the community. That's our trouble Brains are simply points of view, ways of looking out at life and the world. The house-wife has her way of looking out, a way that is of prodigious concern to society, Is n't it stupid to make no use of it, to refuse to incourage its self expression, to say to house-wives: No, you, like every one else must be sunk in a general mass, and a cheap lawyer in the legislature must say for you what in his genial imbecility he thinks you might want to say. Why not say rather to the house-wives-- and likewise to teachers and physicians and artians and merchants: we want this perfectly vital thing that you, as a group, have to offer, this experience, this ripened judgement.

We want this ripened judgement of yours to match up with the ripened judgement of other groups; we ask you therefore, as a group, to select the persons competent to express their judgement; we ask that these persons, these bigger common denominators be the operative brains of our social life. That's the point: to get great big common denominators---as big as we can get them. And there is only one way to do it--- to find the groups where there really is some measure of common experience and common judgement and make these groups our political units."

"Our social brain centers," I suggested.

"Exactly," said Holmes. "Think of what our 'official' brain centers are now. Districts and precincts! Square miles of space inhabited by heterogeneous crowds of beings having nothing deeply and continuously in common! It's preposterous. The true social brain center is the group that functions in common, that has interests and knowledge in common. Until we tap such centers as these, we shall remain as we now are, socially and politically brainless".

"With Albany politicians," I said.

"And worse", said Holmes.

H.A.Overstreet.

Proportional Representation is simply a plan by which we may get these "Great big common denominators", and use them in our government.

CHAPTER V

The Plan.

Now, having found out something of the nature of public opinion and some of the principals upon which it operates, it remains for us to devise an organization for carrying it into the realm of government. We have just quoted Mr. Cooley as saying "Public opinion when organized is democracy". If this is the case we have had very little, if any at all, of pure democracy in the United States. No governmental provision here has (1) utilized the group opinions as they are naturally formed by predominating interests, (2) No use of the fact until recently that public opinion can apply to some subjects and not to others has been made and (3) No machinery has been devised to facilitate the cooperation of the groups and the proper communication of ideas between them; (4) Neither has any provision been made to sustain public interest, which is the foundation on which public opinion, and consequently, democracy rests.

(1) In the first chapter of this paper an attempt was made to show that the city governments patterned after the federal government in making their charters, and that the federal government was fashioned, not on any needs or interest of the people, but on fear of the people, and upon the economic desires of one group. No group recognition was given in this form at all. Of course an attempt was made to substitute for this deficiency by using the extra-legal machinery of the party

system. This system was built on the principal that there were only two groups--- the pro and the con of every subject-- with possibly a third which had no real cause for living except to hold the others in check. The system was built on the individualist psychology, and assumed that every individual had opportunity and ability by himself to make up his mind on a subject, such as protective tariff, or state's rights, and connect himself with the party which was either for or against the measure, whichever his tendencies dictated. Now, in devising a plan for city government, we must include a provision for the interplay of the ideas of the groups and the utilization of them in government.

(2) Until recently it was supposed that the best way to keep matters of government free from graft and corruption was to place them under the power of the ballot box. It was thought that the best way to get good officials was to make them all elective. No discrimination was made as to the importance of the office to be filled or the law to be enacted, they were all left to the people. As an outcome we got an overworked electorate. Party machines nominated men, and party politicians got the electors to vote for them, whether they knew the candidates or not. There were so many men to be elected that it was impossible for the electors to form opinions as to the capacities of all of them, so the great majority of elected officers owed their office, not to public opinion but to party machines. The present situation

city governments resulted. Now we realize that as Mr. Rowe says, : "The subject matter of public opinion is generic and fundamental, never partial nor specific." Public opinion cannot function on the petty details of executive work. Since no opinion can be formed on those subject, no officers can be elected who represent opinions on those subjects. Executive work must be left to appointed experts. However opinion can be formed on matters of fundamental interest or those of general policy--- legislative work. Legislation is amenable to, and must be done by public opinion, or officers responsible to and representing public opinion.

A legislature made up of leaders of the different groups in proportion to the size of the groups, and representing the group opinions on matters of general policy, and appointing responsible experts to take care of the others, is the great step in political advance.

In my chapter on the Proportional Representation Plan as used in Ashtabula this idea is outlined, but the Ashtabula plan does not go far enough. It fails to provide for the organization of the groups. It is supposed to be representative of groups, but there are no places where the groups may meet to form their particular opinions on men or measures. Each is left to itself to devise its own means, independent of the government, of communication of ideas among its own members. Meeting places are necessary for such purposes and under the present plan, each group must meet in some private place where

equipment is not good, or where outside influence is apt to be exercised, or else which is worse, not meet at all. Under such circumstances it is hard for a group opinion to be formed, if it is possible at all. If a government is to rest upon group opinions it must provide means whereby the opinion can be formed.

(3 & 4) The matter of sustention of public interest on questions is very closely connected with the above demands. The social centers, so far as I have been able to find are the only attempted means to fulfill these needs. Of course the press is the great agent of communication, but since it is so dependent on one group, through advertising, for its life it cannot be expected to be an ideal medium.

Mr. Chas. Zeublin¹ says: "Edward J. Ward is the evangelist of a new medium of municipal life --- the social center. The old village school house was a center of life in the community in the days when the community was self centered. Since urban life began to be so complicated and disintegrated there has been no such focus of its social life. For twenty years people have been groping towards the organization of the neighborhood. School houses have been used for night schools but that is in harmony with the idea that their purpose is to serve those who have not been graduated.

Mr. Wm A. Wirt, the initiator of the idea of the thorough and economic use of the school buildings, in his Gary schools, had added a great deal to the idea of social and

1-"American Municipal Progress" page 252.

civic centers. The school house, according to Mr. Ward is the ideal place for civic gatherings.¹ It is easily accessible and it gathers about itself the significance of common obligation for the future generations. Mr. Ward further suggests that in the public employment of civic secretaries the buildings can be kept free from partisan influence and all groups could have an equal right to their use.

It seems to me that the school houses are very good places for civic centers, not only because they furnish a place where the community may get together and discuss matters of community interest--- those on which a public opinion of a community may be formed --- but also because they furnish convenient places for the meeting of groups which have interests larger than the community. Mr. Ward suggests that the buildings may be used five nights a week for club, or group, meetings and one night for the entire community meeting. Such a plan agrees thoroughly with our analysis of public opinion and its formation.

In small cities and towns a school house may be large enough to accomodate all the people of any one of the groups but in large cities it may be necessary to have a centrally located, specially constructed building for this purpose. It is never necessary for a building large enough for all of the groups to meet at one time to be built. The city council is the place for the final forming of the public opinion.

1-"Social Centers" page 13.

The council is made up, as has been suggested, of men who are elected as leaders from the groups and represent the group opinions. Representative government is necessary in the great majority of cases, if not all cases, in large communities and a council made up of men who are responsible for group opinions is the only truly representative body.

By providing free lectures, accompanied by free illustrating pictures, on subjects of municipal interests, and by allowing open discussion after these lectures; by providing free recreation, where people may learn to work together by learning to play together; and by providing a community home where neighbors may meet, get acquainted, and discuss matters of common interest, the city is adding just the machinery in the form of a civic center, which is necessary to a thorough working of organized public opinion- democracy-.

I wish, now, to summarize this paper in a plan of government which follows the principles of public opinion and expression which I have laid down.

In the first place, provision should be made such as the civic center, for groups to get together, exchange views, form opinions and settle on leaders who will represent these opinions.

In the second place, provision should be made in the electoral machinery for the just and equitable selection of these leaders in proportion to the size of the groups represented, to the city council, or representative chamber. We suggest the Hare system of proportional representation. To these men must be left the

coordinating of all group opinions and the general direction of all city affairs. To insure the just and proportional representation in this council, its size is of great importance. It should not be too small, for then all of the groups could not be represented; and it should not be too large, for then free and informal discussions are difficult. The English Privy council started out with a very small advisory body of only a few members, but as it grew in size, after it reached twenty-five or thirty members, it became more and more unwieldy. The cabinet, an inner circle of this larger body, with only a few members was formed. The cabinet has now grown to the number of twenty-two and there is now serious discussion as to the advisability of forming a second inner circle of three or five members within in this inner circle. It is found that deliberation may be expeditiously carried on in a body anywhere from three to fifteen members in size. In each city, this problem must be settled separately, depending upon the number of groups present and their proportional size. Ashtabula has seven which seems a very good size both for a proportional representation of the groups and for expedition of business.

As far as I can ascertain there are no statistics as to the comparative size of different groups in American cities. Groups vary very greatly in number and size in different cities. no scientific average can be found for all. But in nearly all cities of any considerable size there are four, divided as to

the primary interest-- occupations, first, unskilled labor, second, skilled labor, third, the professions, and fourth, the businesses. There are, of course, smaller divisions, but they can be mostly classified as subordinates to one of these groups. In some cities, such as Pittsburg, the great bulk of the population belong to the first and second groups while in other cities, such as Wichita and many other western cities the proportion of unskilled labor to the rest of the population is very small. The business and professional groups are quite large. So where one or the other interest greatly predominates, the size of the representative body must vary in order to be representative,

This body once chosen our attention must turn to the plan of its operation. In the first place, the men on this council need not give all their attention to the work, since they deal only with matters of general policy and need not be paid large salaries but they should be given compensation, commensurate with the amount of time and energy spent in the work. In the second place, they should hire a manager, or specially trained expert to look after the details of the city work, and perform the specific execution of the measures enacted by the council. He is a responsible head of the government and should select all his own subordinates, and remain in office as long as his efficiency commends him.. He is responsible to the council directly for the general carrying out of their directions and indirectly to the different councillors, and to the different groups for his specific actions. He is selected for his ability alone, and no residence requirements are made. If he should

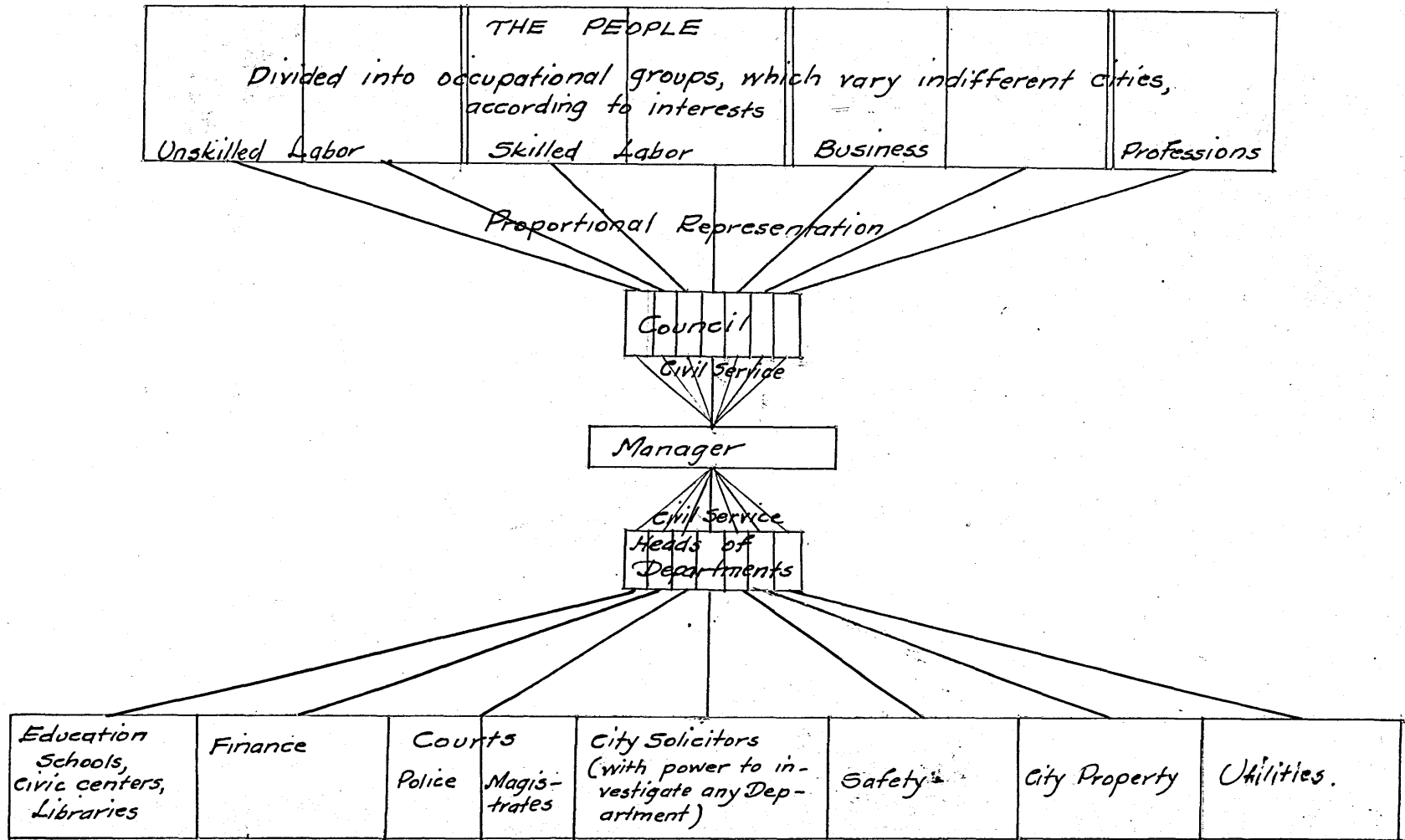
in the judgement of the council, prove unsatisfactory, he may be dismissed. The Dayton charter provides for a recall by the people but this allows an opportunity for the council to shift responsibility- a very bad feature. Most charters require that the manager remain in office five months before he may be dismissed, except in extreme instances of dishonesty or incompetency. The success of a man's work in a large city cannot be judged in less time. In case the manager is dismissed, as he thinks, unjustly, he has the right to an appeal to the electorate by an explanation of the question at issue. So far there has been no trouble along this line that had attracted any attention. If a manager is doing good work and follows the dictates of the council as he should, there would be no occasion for his dismissal. If he is not he should be summarily dismissed. In either case, the council, directly responsible to the separate groups, would feel the weight of public displeasure so strongly in case they were unjust in their action towards the manager, that the manager would either be returned, or a repetition of the offence made impossible.

So far we have been tracing the will of the people as initiated by the people but not all legislative action can originate with the people. Some, of necessity must originate with the executive officers, they are the ones who see the necessity for the many measures most keenly. To allow the executive, no matter how competent he is, full rein in adopting these measures, however, would virtually make him a dictator.

To require all measures to be initiated by the public would cripple the administration. Some means of allowing the executive the opportunity of initiating the measures need and of checking them up by public opinion is necessary. A glance at our graph will show that in the proposed plan we have machinery to accomplish the needed step in city government. Any departmental head may suggest measures to the chief executive, the manager, who may lay the matter before the council. The member of the council representing the group's opinion on the subject can easily check it up and see if it is in accord with the sentiment of his constituency. If it is, he may report it to the executive or the council and the measure will be allowed. If it is contrary to the policies of the group the matter may be laid before the council and either amended to meet the demands of both the executive and the group, or it may simply be voted down. At any rate the executive has means of knowing the popular mind on the subject and getting things done in an expeditious manner.

As an example of this procedure, suppose the head of the education department sees the need of the junior college in his school plan. He may explain the matter to the manager who may go in person to the council taking the superintendent of education with him if he desires. There he may lay the matter before the council and get an immediate action on the subject. If the councilors were uncertain as to the feeling of their constituencies on the subject, it would be easily possible for them to call meetings of the different groups in the civic

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centers and there get the group opinion of each. The councilors then would return to the council and check up the different group opinions and have a reasonable basis for action. The same procedure would work for any subject.. This would insure an interested populace for the people would feel that they were having a definite part in the administration of affairs. In many cases it might not be necessary to call the group meetings, for if the councilors felt that they knew the group sentiment they could act immediately. In another case where the matter would not be one of interest to the whole populace but only to one group the opinion of the councilors representing that group could rule. Anyway one would wish to take it he would have the executive on an efficient basis.

When we get a government, based, such as the one just proposed is, on the working principals of public opinion-- the real dynamic power of democracy-- then we may hope for a measure of good government. But no matter how perfect the machinery of any plan, not so grounded ^{may be} /no real government of the people may be hoped for. It will not be forthcoming.

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